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Assembly

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(Hansard)

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<i>Office of the First Minister and deputy First Minister</i>	Mr Gerry Kelly
	Mr Ian Paisley Jnr

NORTHERN IRELAND ASSEMBLY

Monday 24 September 2007

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Retirement of the Clerk to the Assembly

Mr Speaker: On behalf of the Assembly Commission, I inform the House that, since we last met, I have received a letter from the Clerk to the Assembly, Mr Arthur Moir, in which he conveyed his decision to retire from his position and return to a legal consultancy role in the Northern Ireland Civil Service.

Arthur has served in the position of Clerk and Chief Executive since 2001. For much of that time, he was tasked with maintaining the Assembly secretariat and our facilities in a state of readiness for restoration. The challenges of doing so over such a prolonged period were considerable, and Members must be grateful to him for ensuring that we were able to resume full business immediately on restoration.

Members will be aware that a review of the Assembly secretariat is under way. In his letter to me, Arthur has anticipated that the review is likely to recommend a significant programme of reform and restructuring that will last several years. Mindful that he had not intended to serve in his current position for such a period, it was his view that retiring from his post at this time would allow the Assembly Commission to appoint a new Clerk and Chief Executive to oversee through to fruition the full programme of change.

In my own opinion, such concern for the best interests of the Assembly and its secretariat is typical of our Clerk, whose service to the House has been marked at all times by commitment, loyalty and integrity. I know that Members will wish to express their gratitude to him and will have an opportunity to do so at a later date.

Looking ahead, the Commission is taking firm steps to ensure continuity of service to the Assembly while the process of appointing a new Clerk is undertaken, and I will write to Members once appropriate arrangements have been put in place.

Members' Participation in Debates / Ministerial Statements

Mr Speaker: During the business of this House on 18 September 2007, Mr Dominic Bradley raised a point of order. He referred to the involvement of Members in a debate when those Members had not been present for all of that debate. Mr Bradley thought that that was inconsistent with his not being called to ask a question following a ministerial statement, after he had missed the start of that statement.

At this stage, I want to point out that the regular business of the House is different to that of ministerial statements. I would not expect any Member to sit through the entire day's business — I understand that Members have other work to do. There will be a ministerial statement later this morning, so, once again I must emphasise the principle and the convention to be observed with regard to ministerial statements.

If Members who have been present in the Chamber to hear all of the statement wish to ask questions, I will seek to ensure that they can do so. If Members have been in the Chamber for part of the statement, and if there is sufficient time left, I shall allow them to put their questions. However, those Members will not be called before the Members who have been present for the entire statement. The Chair will try to accommodate as many Members as possible.

It is attendance in the Chamber that counts; it does not matter that Members may have been listening to the statement elsewhere. Some Members have indicated that they have heard a ministerial statement in their rooms and that that should be enough to allow them to rush to the House to ask questions. That will not happen. If Members wish to ask questions, they must be present in the Chamber to hear the full statement.

I hope that I have made clear the difference between the day-to-day business of the House and ministerial statements.

MINISTERIAL STATEMENT

Workplace 2010

Mr Speaker: I have received notice from the Minister of Finance and Personnel that he wishes to make a statement on Workplace 2010 and the location of public-sector jobs.

The Minister of Finance and Personnel (Mr P Robinson): I want to make a statement on a couple of issues of interest that were considered at the last Executive meeting. The first of those is the Workplace 2010 contract, which, because of its nature, has courted some controversy, and I shall come on to that shortly. The second issue, and one that is in some ways linked, is the ongoing debate on the location of public-sector jobs. Both of those matters, certainly during my time as Minister of Finance and Personnel, have generated intense interest and speculation about how and where we accommodate civil servants.

Members could be forgiven for thinking that something as dry as Civil Service accommodation would hardly be the stuff that headlines are made of and would not make for particularly riveting reading. However, those projects have grabbed the attention of many people for a whole host of reasons.

I am pleased to report that, on what have been very difficult issues for all the parties on the Executive Committee, we have fashioned the way forward in such a way that the Executive have agreed unanimously that both projects should proceed to the next stage.

The Executive's ability to agree on the handling of Workplace 2010 and job dispersal demonstrates the foolishness of claims that the Executive are avoiding taking difficult decisions.

I wish to address some concerns directly. First, the fact that we are proposing to deliver Workplace 2010 through PFI procurement has caused considerable debate. Secondly, there is concern that the PFI contract will in some way consolidate the Civil Service in Belfast and thus restrict any future movement of business. Thirdly, concerns have been raised about what will happen to the 500 civil servants who are employed in estate and property-related work.

Those are the matters that have been at the heart of the debate, rather than the estate itself, so it was important, when coming to conclusions, that Ministers, including myself, were able to consider them before making decisions to proceed, and it was for that reason that I submitted papers to the Executive seeking their approval.

Towards the end of the next stage, I intend to bring the details of the contract back to Ministers for further consideration, but I firmly believe that this is a good

example of how, as an Executive, we have demonstrated that we are prepared to take on, and come to consensus on, the big issues.

I shall start with Workplace 2010, which, for Members who are less familiar with the detail, is a proposed PFI contract that would enable some 77 Civil Service office buildings to be transferred to a private sector partner who would be responsible for upgrading about 15 of the core properties at a cost of about £100 million. In taking over the buildings, the private sector would also be responsible for maintaining and servicing them during the period of the contract.

When I became Minister of Finance and Personnel, the competitive process to find the most suitable private-sector partner was well advanced — the Department had already shortlisted Land Securities Trillium and Telereal from four bidders who had initially submitted proposals.

The question for the Executive and for me was whether the procurement, which is worth about £1.5 billion, should proceed. Is it right for Northern Ireland? Is it right for the Government?

Some commentators who take a very superficial view of matters have, for example, suggested that we are selling off the family silver. Well, some of that is very tarnished silver. We are not talking about buildings of great historical or cultural interest. We are talking about office blocks and Portakabins, some of which are well past their sell-by dates and in urgent need of attention.

In the greater Belfast area, for example, we are dealing with 18 buildings that are owned by the Government, and, of those, 14 will be either demolished or vacated once the refurbishment programme is complete. That gives some idea of the state of the buildings that we are talking about, and that situation is not sustainable for reasons of efficiency and the conditions in which some people are working.

Ironically, the best of the accommodation is already leased, so the idea of the Civil Service renting from the private sector is by no means new. Seventeen leaseholds will transfer in Belfast, and we will continue to occupy most of them for the lifetime of the contract.

In summary, we have an estate that needs major investment to bring it up to scratch and provide better working conditions that will drive improvements in the delivery of services, which, ultimately, is what the public sector is in business to do.

Since doing nothing is not an option, we have had to consider how those improvements should be funded, and the amount of money that we need is simply not available to us. Having looked at various procurement options, we have concluded that the financial case for PFI gives us best value for money. To put it simply, the

77 buildings cost us about £70 million each year, and that allows us only to tread water.

The Workplace 2010 contract will see the successful private sector partner investing about £100 million in improving the accommodation. We will have a contractual guarantee that the estate will be maintained and serviced to a good standard for the next 20 years or so, and all that will be done for broadly the same amount of money that we are spending at present.

As things stand, we can also expect to get a capital payment in the region of £200 million to help fund other projects such as roads, hospitals and schools during the comprehensive spending review period.

12.15 pm

Therefore, by selling the “tarnished silver”, we will be provided with quality, polished silver to use and the money to buy new, valuable and urgently needed assets. It is a very attractive deal, and it is absolutely essential if we are serious about proceeding with the priorities in our investment strategy. That said, we nonetheless need to be assured that the contract represents value for money. The financial case shows that, as things stand, the PFI contract is hundreds of millions of pounds cheaper than traditional procurement, but it is important that appropriate safeguards be put in place.

On that subject, the Committee for Finance and Personnel has been particularly helpful. The Committee has produced a report that majors on value for money, based on the experience and evidence of other PFI projects. It has, quite rightly, subjected the project to a rigorous examination and proposed a number of recommendations, which I have accepted and which will provide the necessary assurances to my ministerial colleagues, and to the Assembly, that value for money is being delivered.

Related to the subject of value for money is the issue of the value of the estate, and the concern that the Government could have their eye wiped by a private-sector partner intent on making excessive profits at our expense. I have been able to say to other Ministers and to the Committee that the Department has looked in some detail at the structure of other deals. It has also looked at what the Public Accounts Committee and the Northern Ireland Audit Office have had to say about other deals, and a commercial approach has been developed that will ensure that Civil Service interests are protected. The approach that we are taking will realise best value as and when sites are released and will optimise the share of any profits. We have also assured the Committee that the outcome of an independent valuation exercise will be taken into account in the final contract.

As I have already said, a key concern for staff and the unions is the impact of that contract on the people who are employed in estate- and property-related work.

If we are to transfer the estate and all the associated functions, the question arises about what happens to the staff, many of whom are messengers and support-grade staff who want to remain in the Civil Service. Therefore, although we are clear that the transfer of functions such as reception and security services makes good financial sense, we are determined to ensure that any staff who want to remain in the Civil Service have the opportunity to do so.

We have done that by introducing a process whereby messengers and support staff can, for the first time, transfer to mainstream Civil Service jobs, with the opportunity to follow a career path that previously was not available to them. Over three quarters of the 300 staff involved have applied to transfer to administrative jobs, and the feedback to date has been very positive. As a result, I have been able to assure Ministers that there will be no compulsory transfers to the private sector, and the Executive have unanimously agreed that that should indeed be the case.

In my opening remarks, I said that concerns had been raised that the contract would restrict our capacity to relocate jobs in future. In the context of Workplace 2010, the Department is working on the basis that the contract must be flexible enough to accommodate future movement of business, whether that be for political or operational reasons. This is where we start to stray into the wider issue of the location of public-sector jobs, so, at this stage, I should perhaps move on to address that particular piece of work.

As I have said before, our public sector is too large, given the overall size of the economy in Northern Ireland. We must build the private sector. However, at the same time, I recognise the critical role played by public servants. I also recognise that decisions around the future location of public-sector jobs could have important implications for communities throughout Northern Ireland. Decisions will have to be taken about where the new bodies created as a result of the review of public administration (RPA) will be based. We also need to think about the longer term.

I, therefore, asked the Executive on 13 September to agree to a two-pronged approach. First, we shall develop a framework that will provide a robust process for decision-making on the location of RPA-related bodies. Secondly, we will undertake a time-bound review of policy on the location of public-sector jobs in Northern Ireland. Again, I am pleased to say that the Executive have agreed to that approach.

There is a need to create a coherent and integrated framework to underpin decisions on the location of RPA-related bodies. I am talking about the decisions on the permanent location of bodies such as the new Northern Ireland library authority and the education and skills authority. The framework will help to ensure that

the decisions that are made about the location of those new bodies will be well informed and soundly based.

In the spring, the Department of Finance and Personnel consulted on the proposed framework. It invited views on the proposed guiding principles in order that decisions that result from the RPA on the location of public-sector jobs could be underpinned. Not surprisingly, the consultation attracted strong interest, and there were many helpful responses.

As I mentioned earlier, since then the Committee for Finance and Personnel has published the document 'First Report on Workplace 2010 and Location of Public Sector Jobs'. That report included several constructive recommendations on the proposed framework. The framework will broadly follow the approach that the consultation document proposed, with amendments to reflect both the Committee's report and consultees' responses.

Alongside the guiding principles, there will be a detailed methodology as to how the principles should be applied to help to ensure openness and robustness throughout the decision-making process. Given that the Executive have now agreed the framework, we will work towards publishing it later in the autumn. Although the framework will provide a robust methodology for making decisions on the location of the RPA-related bodies, we will also need to think about the longer term.

There is no extant proactive dispersal policy in Northern Ireland. To date, dispersal has relied on taking advantage of opportunities as they arose in cases in which value for money could be demonstrated. In an Adjournment debate in the summer, I quoted figures on the location of public-sector jobs. As those figures illustrated, the picture on the location of those jobs is complex, as are the issues on the costs and benefits of dispersal.

The wide spectrum of opinion and the complexity of location were also reflected in the responses to the consultation. For example, as expected, dispersal was one of the key themes to emerge in the analysis of the consultation responses. Several respondents favoured a proactive policy of dispersal of public-sector jobs from the Belfast area. Other respondents, although they acknowledged that a well-managed relocation policy could bring a more even spread of benefits of public-sector employment opportunities across Northern Ireland, also emphasised the critical role that Belfast plays in driving the Northern Ireland economy. They also pointed to the many areas of deprivation in Belfast. Overall, however, most respondents expressed a desire for greater clarity and openness on the policy of the location of public-sector jobs.

The Committee for Finance and Personnel's report called for an affirmative policy on the dispersal of public-sector jobs. It stated that that policy should be

complemented by a cross-cutting strategy on job location, covering the Northern Ireland Civil Service, local government, and the wider public sector. Taking all that into account, I, therefore, believe that it is important that the location of public-sector jobs receives proper, detailed consideration. For that reason, I proposed initiating a time-bound review of policy on the location of public-sector jobs in Northern Ireland to enable the Executive to come to an agreed approach on location policy.

Ministers have supported that review, and I have agreed shortly to introduce to the Executive further detailed proposals on the terms of reference for the review and who might undertake it. Although the details of the review require further consideration, it is important that it be independent and chaired by someone who is experienced in the public sector and respected in the community. The review would be time-bound and would also include a detailed cost-benefit analysis of the dispersal of public-sector jobs in Northern Ireland. The review would also examine decentralisation policies and their implementation in other jurisdictions.

Initiating a detailed, time-bound review on location policy, alongside introducing a robust framework to facilitate location decisions for RPA-related bodies, provides a practical way forward. In the context of Workplace 2010, I am content that the final contract should reflect any decision on a dispersal policy that the Executive might make following the review.

I need to bring to Members' attention one final point on Workplace 2010. The Executive have agreed that the procurement of the contract should now proceed to best-and-final-offer stage. However, that is subject to a court injunction on the procurement being lifted. Unfortunately, during the summer, one of the unsuccessful bidders filed a legal challenge on the basis of belief that his or her bid was evaluated unfairly and irrationally. Given that the Department believes that there is no case to answer on the fairness and integrity of the process, suffice it for me to say that it does not accept that claim and will vigorously defend itself.

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

As things stand, an injunction is in place that prohibits the Department from inviting best and final offers from the two remaining bidders. That injunction is due to be reviewed at a hearing on 11 October, when I can assure Members that the Department will be strongly opposing any extension on the grounds that any further delay will substantially prejudice the project. There is, therefore, likely to be a bit of a hiatus until the injunction issue can be resolved and, as yet, I cannot give any guarantees as to how long that will take.

In the meantime, I am grateful to Ministers from all parties for their support and I will, naturally, update the Assembly on progress in due course.

The Deputy Chairperson of the Committee for Finance and Personnel (Mr Storey): On behalf of the Committee for Finance and Personnel, I thank the Minister for his statement. I welcome the Department's positive response to the Committee's report on Workplace 2010 and the location of public-sector jobs. The Committee has proposed a take-note debate on its report and the Department's response. That debate will provide a further opportunity for the House to consider the matters that have been set out today.

In that context, I ask the Minister when further information on the proposed review of policy on jobs location will be available to the Committee. I refer, in particular, to the scope, terms of reference and timetable for the review. Is the Minister minded to bring that information to the Committee before its presentation to the Executive?

Mr P Robinson: I thank the Committee for its work on its report on Workplace 2010, and for the views that it has expressed on job location. I welcome the take-note debate that the Committee hopes to propose.

As for the Member's question on the timetable for the review, the Department is currently considering a number of matters, including which person or persons should carry out the review. As I indicated in my statement, we are looking for someone who will be respected in the community and who has some considerable experience in the relevant area of activity. I imagine — if I have to make a fist of it — that we will probably bring those recommendations to the Executive in the next four to six weeks.

Of course, I will ensure, before going to the Executive, that I have the advantage of hearing the views of the Committee. That will be important and beneficial. The Committee will be part of the process.

Ms J McCann: I thank the Minister for his detailed statement. I too welcome the review. Given the concerns that the Minister outlined about the implications for the long-term equitable dispersal of public-sector jobs across the Six Counties, will the flexibility of the Civil Service estate be restricted by long-term contracts with the private sector?

Given the direct linkage between Workplace 2010 and the relocation of public-sector jobs, will the Minister guarantee that there will be a clear and direct link between Workplace 2010 and the equitable dispersal of public sector and Civil Service jobs?

Mr P Robinson: I am aware of the concerns that many people have expressed. I have managed to travel around the country and hear people's views on the matter. People who live west of the Bann will, I hope, see that, in the past, I have always encouraged development in that region. I did that in the Department for Regional Development, and I can assure the Member that, when it comes to the dispersal of public-sector

jobs, I will do the same in the Department of Finance and Personnel. However, the final contract will be sufficiently flexible to allow us room to manoeuvre, whatever the Executive might decide on dispersal policy. Indeed, that contract will come to the Executive before they sign off on the final private-sector partner.

12.30 pm

As for linkages, the Member will already be aware that I have made it very clear in my remarks today, and in the way that they were presented to the Executive, that the matters are linked. For legal reasons, the only contractual similarity between the two is that flexibility on job dispersal will be built into the contract, which will allow the Executive to make decisions based on the new policy.

Mr Beggs: The Minister spoke of selling tarnished silver. Does he acknowledge that there is some sparkling silver among the 77 buildings proposed for the sell-off — I am thinking, in particular, about the jobs and benefits offices that have been modernised at a cost of tens of millions of pounds in recent years?

Does he also acknowledge that, contrary to public opinion, there are constituencies in the east of Northern Ireland, such as my East Antrim constituency, which have the lowest number of Civil Service jobs? Will he ensure that the lack of significant numbers of Civil Service jobs in eastern constituencies will be taken into account in any policy to disperse those jobs?

Mr P Robinson: I am aware that some offices have been refurbished and that approximately £50 million has been spent on that refurbishment. However, we need to be very clear that the proposed contract will ensure that those offices stay in that state for the next 20 years. The requirements are very clear.

It is not simply a case of sale and lease-back — whereby one finds oneself in the position of selling property and leasing it back again from a private-sector landlord. In this case, we will have a contract, which will require the private-sector landlord to keep those properties, and the management of those properties, at the highest of standards.

As far as Civil Service jobs in East Antrim are concerned, I made the point that that issue is complicated. I remember teasing one of the Members for West Tyrone during an adjournment debate that in examining travel-to-work areas in relation to public-sector jobs — and comparing the jobs of 100 economically active people in an area — Omagh was the highest in Northern Ireland, and Larne was probably the worst.

It is not just as simple as dispersing all the jobs to the west. Areas inside the Belfast travel-to-work area, but outside the heart of Belfast, can, in many ways, be seen to be in more difficulty than those west of the Bann.

Mr O’Loan: I welcome the review of Civil Service jobs and the fact that the Minister has said in his statement, and in an earlier answer, that the outcome of the policy will be reflected in the final contract. Elsewhere, I believe the Minister, in making his decision on the matter, referred to it as a “no-brainer”. That is a rather risky phrase to use in view of a previous decision, which another Minister also referred to as a “no-brainer”. I hope that for the Minister’s sake, and ours, the phrase does not come back to haunt him.

There are legitimate concerns about PFI contracts because there have been situations here and in Great Britain in which, in the end, the public interest has not been served well by PFI contracts and private contractors have done extremely well.

What real assurances can the Minister offer the Assembly and the public that this PFI contract will work in the public interest?

Mr P Robinson: I am grateful to the Member for his earlier remarks. Although there are examples such as Balmoral High School — which comes into the conversation each time someone talks about PFI — to some extent it is those examples that will help us in relation to this contract, because we have learned from all experiences, good and bad, elsewhere in Northern Ireland and throughout the United Kingdom.

The Department has taken all those good and bad experiences on board; and the Committee for Finance and Personnel particularly noted that valuation and value-for-money issues should be considered carefully during this exercise. That has been done.

All I can say is that we have learned from the experiences of others, and, on the basis of the changes that we have made, and throughout the process, we have considerably improved the contract. If it were simply a case of our going for the greatest possible amount of capital, the contract would be very different to the one that we have, which builds in flexibility and safeguards to ensure that public interest will be taken into account.

Dr Farry: Like others, I thank the Minister for his statement. Is there any logic in deferring the final contract for Workplace 2010 so that the more cost-effective and efficient results of the dispersal strategy will be in place, rather than seeking contract variations down the line?

With respect to dispersal, does the Minister recognise that, at the moment, Bangor is the only town that will lose jobs? Does he recognise that that negative dispersal will impact on the local economy’s sustainability and is opposed by the local workforce? What are the current plans for the Rathgael House site?

Mr P Robinson: I have attempted to bring forward two sets of proposals in parallel — Workplace 2010 and the location of Civil Service jobs. The dispersal policy will proceed, and I have outlined the timescale,

so I imagine that the Executive will have a clear picture of that policy. Therefore, a backcloth will be in place when Workplace 2010 contracts are signed.

As far as Bangor is concerned, I have met the Member for North Down and the previous Mayor of North Down, his predecessor. The Department of Finance and Personnel wishes to be located in the Stormont estate — at the moment, our staff are located in approximately 20 buildings around Northern Ireland, which is not an efficient or effective way to operate. The Department is continuing to seek the views of the Department of Education about remaining in Bangor or moving. Therefore, no final decision has been made on the issue. I am aware of the impact that job losses will have to North Down and of the views of those currently employed in Rathgael House.

Mr Weir: I thank the Minister for his statement. I am sure that a common-sense solution will be found with regard to Rathgael House.

It is particularly welcome that the debate has not descended into parochialism. Indeed, I commend the selfless attitude of the Member for West Belfast opposite, who seemed keen on maximum dispersal, taking jobs out of her own constituency and dispersing them to the west of the Province.

Does the Minister believe that the legal challenge to Workplace 2010 from the unsuccessful bidder will cause any delay to its implementation?

Mr P Robinson: I hope that when we — eventually — announce the policy on Rathgael House, Mr Weir will agree that it is a common-sense approach.
[Laughter.]

One argument for the importance of Belfast is not simply that it is the capital — and there is a view that the main headquarters should be in the Belfast area — but that the many areas of deprivation in the Belfast area must be taken into account in the dispersal policy, just as the Member for East Antrim pointed out the needs of the travel-to-work area outside Belfast.

With regard to the legal challenge, I can honestly say to the Member that the courts did not choose to deal with the matter; it was brought to the courts. Therefore, the courts are in no way to blame. There is a case before the courts, so I shall be very careful of what I say; however, it is right to point out that we are already being held back. At their meeting on 13 September, the Executive took the decision to go to the best-and-final-offer stage.

The Department could have come to the Assembly immediately after that, but held off because the court was hearing the case last week. Therefore, the Department is already being held back, which has implications for resources and capital under the CSR. That is one of the difficulties that the Department faces in introducing the

Investment Strategy for Northern Ireland 2 and Budget proposals. We need to know the amount of funding that will be available during the course of the CSR. Such a large sum of money will have serious implications for the number of roads, hospitals and educational buildings that can be constructed. All those issues must be dealt with in a short period. Therefore, the court case is preventing the Department from taking such decisions and introducing its Budget.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement, in which he pre-empted a question that I had tabled to ask him later during Question Time.

The Minister acknowledged deep political and social concerns about PFI. His statement went some way to attempt to alleviate some of those concerns. I note that the Executive have agreed to move on the next stage of the process by deciding that the final contracts be presented for approval. I assume that those contracts will guarantee to protect the public purse and expenditure.

To be fair, the recent Committee for Finance and Personnel and Public Accounts Committee reports pointed out where past mistakes were made; and the Minister highlighted the example of Balmoral High School, which the Public Accounts Committee is examining. Recently, the Minister made a speech about the Public Accounts Committee. I take the opportunity to assure the Minister that the Public Accounts Committee exists not only to shine the light on mistakes, but to show the way forward to Departments or the private sector, so that they can avoid repeating those mistakes. Can the Minister assure me that, when the final contracts are produced, lessons will have been learned from all past mistakes to ensure that Members who stand in the Assembly 10 years from now are not talking about another PFI disaster?

Mr P Robinson: I am not sure how many Members will still be here in 10 years. However, we must learn from past mistakes and avoid making new ones. All that the Executive can do is give their best effort, using their skills, expertise and the experiences of others, to take the correct decisions, and I am confident that we will do that.

The Member mentioned that I had pre-empted a question that he intended to ask me later during Question Time. I am sure that that will not deter him from thinking up a new question on the same subject. It is important to remember that the contract is a substantial one worth some £1.5 billion and the Department must get it right. We are seized of that importance and have half a notion of things that have gone wrong in the past. We must ensure that we will not be in a future position of having to explain why we did not act as we should have. We are aware of all the future implications and impact of Workplace 2010.

I acknowledge the valuable work of the Public Accounts Committee, and I am glad that the Member follows so avidly the speeches that I make around the country. However, during the speech to which he referred, to the Confederation of British Industry, I simply pointed out that the innovation and new thinking of civil servants should not be curtailed by pillorying them every time they get something wrong. To ensure that innovation is not stifled, there must be some balance in the consideration of such matters.

Mr McQuillan: I thank the Minister for his statement. If Workplace 2010 were not to proceed in line with the current timescale, what would be the implications for the capital budget of Northern Ireland?

12.45 pm

Mr P Robinson: That would depend on the extent to which Workplace 2010 does not meet the timetable. The Executive will bring forward a draft Budget during October/November. A sum of £200 million would leave a sizeable hole in the capital spend if it were not available to us. If that sum is not available when we bring forward the three-year comprehensive spending review, but becomes available after that, the Executive could make speedy adjustments. However, that would affect the planning for our investment strategy.

Mrs D Kelly: Will the Minister confirm that all parties in the Executive agree on the principle of PFI? I welcome the Minister's comments on concerns about staff. Will he assure the Assembly that those staff who have not yet transferred to the Civil Service will be treated fairly and equitably, and that any of those who transfer to the private sector will have their terms and conditions protected? Will he further assure the Assembly that the private contractors who provide services on behalf of Departments, such as security and reception, will be made fully aware of their statutory obligations under section 75 of the Northern Ireland Act 1998?

Mr P Robinson: I doubt whether any parties in the Executive agree to the principle of PFI. All the parties in the Executive were prepared to consider, on a case-by-case basis, whether that form of procurement made sense in the circumstances. A range of procurement methods were considered, and it was clear from studies that were carried out that PFI was the best method for the project. I will not commit any political party to having bought into PFI, but my party has concerns about it. I told the Executive that I would not be found among the cheerleaders for PFI, but, if it makes sense for a particular project, I am happy to recommend it, and it makes sense for Workplace 2010.

We have a clear responsibility to our staff. I am glad that there has been such a large uptake in staff wishing to transfer to the Civil Service. In fact, I wonder why such an option was not available in the past so that those people could have an extended career path. There is no

compulsory transfer to the private sector, but if anyone chooses to transfer to the private sector, their conditions will fall under The Transfer of Undertakings (Protection of Employment) Regulations 2006.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement, which allows Members an opportunity to raise issues relating to Workplace 2010. On the equitability of job dispersal or decentralisation not only to rural areas, but west of the Bann, the Minister mentioned that Omagh did well in comparison to other towns. However, in my experience, Enniskillen seems to have lost many jobs to Omagh, and that is the wrong direction, as far those in Enniskillen are concerned.

Did the Minister take into account any criteria when considering the equitability of jobs dispersal? An attempt was made to relocate public-sector jobs in the pensions branch to Fermanagh, but Civil Service officials admitted that they did not have enough staff at grade 3 to even consider bidding for such dispersal of jobs. Does that leave rural areas, such as Fermanagh, unable to bid for such dispersal of jobs?

Mr P Robinson: The answer to that depends on the size of the office in question. Obviously, there would be no point in placing a large office — holding hundreds, if not thousands, of people — in an area that is incapable of providing that number of employees. I noted the eyes that were piercing into the Member's back when he expressed his unhappiness about Omagh taking jobs away from Enniskillen. *[Laughter.]*

That is part of the difficulty in focusing on individual areas in Northern Ireland; all those issues come into play. Even if the Executive had the wisdom of Solomon — and I suspect that they do not — it would be very difficult to find a policy that would keep everyone happy, and through which jobs would go to every area in Northern Ireland. The Executive just cannot do that. The policy has to be open, fair and must be one that people — considering the overall picture — can support. Members must bear in mind that the rate of unemployment in Northern Ireland is 3·4%, which is the lowest ever. There are still jobs available, so there is an issue around the number of people who will be available for jobs.

In an earlier debate, I mentioned that there are considerable advantages, other than employment, in stopping people coming into Belfast from outlying areas. One such advantage is reducing congestion. The Executive will consider their policy over the coming weeks and months, and I hope that Members, when determining how good that policy is, will not just think about their home towns, but the whole of Northern Ireland.

Mr Hamilton: The Minister has outlined some implications for the capital budget if the project is delayed: what are the implications for the resources

budget and for the conditions that civil servants have to work in?

Mr P Robinson: As I indicated, we are treading water, and that puts the matter at the highest level of importance. Although £70 million each year is being spent on the present estate, millions of pounds worth of work should be done annually to improve and upgrade the estate. If we are not going to follow the Workplace 2010 route, using a PFI initiative, we are going to have to invest more in the general repair and maintenance of the buildings.

One factor that has not been touched on is the overall reform of the Civil Service. If our reform project is to deliver the efficiencies that we want it to, we must be able to move the Civil Service to office conditions that will enable staff to work more effectively and efficiently. There will be a considerable loss in that respect.

Some time ago, I asked my Department about the resource implications of a project delay. Over the period of the comprehensive spending review, there will probably be tens of millions of pounds in additional costs to the resource budget. Therefore, there are resource and capital implications.

Mr Irwin: I add my thanks to the Minister for his statement.

In the past five years, what was the shortfall between what should have been spent on Civil Service buildings and what was actually spent?

Mr P Robinson: Over the past five years the shortfall has been about £20 million.

Mr Shannon: I thank the Minister for his statement, which was timely and appropriate. There has been much concern expressed to me and many others in the Chamber, and further afield, about the sale of land here — particularly parkland and perhaps even this Building. Will the Minister assure Members and their constituents that land, which many people feel was bequeathed to the people of the Province, will not be sold? Will the Minister also confirm what buildings, if any, will be sold, or be considered for sale, in the Stormont estate?

Mr P Robinson: I thought at first that the Member was going to test my Ulster Scots, but he let me down. In the context of the debate, I assume that his use of the word “here” refers to the Stormont estate and not to Northern Ireland. I assure the Member that Parliament Buildings is not included in any planned schemes that will become the subjects of PFI. We are talking about buildings such as Castle Buildings, Craigantlet House — where I am currently based — and Dundonald House, and there will be clear criteria laid down in the contract to ensure that neither McDonald's nor Burger King opens up in place of those buildings.

Mr S Wilson: Why not?

Mr P Robinson: I am sorry to disappoint the Member for East Antrim. The Stormont estate is magnificent, and no one in the Executive will put their hand to its destruction: no one has any notion of including Parliament Buildings in such a contract.

COMMITTEE BUSINESS

Libraries Bill: Extension of Committee Stage

The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff): I beg to move

That, in accordance with Standing Order 31(4), the period referred to in Standing Order 31(2) be extended to 25 February 2008, in relation to the Committee Stage of the Libraries Bill (NIA Bill 5/07).

Go raibh maith agat, a LeasCheann Comhairle. The Libraries Bill passed its Second Stage on 19 June 2007, and it was referred to the Committee for Culture, Arts and Leisure on the same day. The Bill is an important piece of legislation, which seeks to create a new library authority to replace the functions of five education and library board areas, in respect of libraries. The Committee is anxious to ensure that it carries out its responsibilities and conducts a rigorous scrutiny of the legislation, and towards that end, the Committee agreed that it needed to call a range of witnesses. It is, therefore, important that the Committee has sufficient time to consider that forthcoming evidence. That will ensure that the Assembly receives a well-balanced, informed report from the Committee.

The Committee is seeking an extension to 25 February 2008 with a view to getting the Committee Stage of this important piece of legislation absolutely right. However, we will endeavour to complete the Committee Stage as soon as possible — hopefully short of 25 February. I ask Members for their support.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 31(4), the period referred to in Standing Order 31(2) be extended to 25 February 2008, in relation to the Committee Stage of the Libraries Bill (NIA Bill 5/07).

ASSEMBLY BUSINESS

Administrative Support for Party Whips

Mr A Maginness: I beg to move

That, as set out in section 2(4) of the Financial Assistance for Political Parties Act (Northern Ireland) 2000, this Assembly approves the revised scheme (NIA 26/07-08) laid before the Assembly on 20 September 2007, for payments to political parties for the purpose of assisting Members of the Northern Ireland Assembly who are connected with such parties to perform their Assembly duties.

I move the motion on behalf of the Assembly Commission. Members will be aware that the Financial Assistance for Political Parties Act (Northern Ireland) 2000 provides for payment to political parties for the purpose of assisting Members to perform their duties. It does not provide payments to individual Members. In tabling the motion, it is proposed that a revised scheme will be put in place to provide additional financial assistance to political parties to help offset the costs incurred solely in running their Whips' offices.

It is important to bear in mind that the funding will be ring-fenced and will only be made available for costs incurred in support of the administration of Whips' offices. Independent audited verification will be sought from each party in respect of any expenditure incurred under the proposed scheme.

1.00 pm

Members will be aware that Whips act as their parties' business managers. They help to determine the business to be conducted by the Assembly, and they keep Members informed of forthcoming Assembly business. Whips provide advice and guidance to Members on procedural matters and liaise with Whips of other parties to ensure that all Members perform their duties in a co-ordinated and organised manner. They also act as facilitators for Members by liaising with the Speaker and the Assembly staff on Members' accommodation requirements, IT services, and other matters. All that work allows Members of the Assembly to concentrate on the effective performance of their Assembly duties.

It is with that in mind that the Commission has produced this scheme, with all-party support.

Question put and agreed to.

Resolved:

That, as set out in section 2(4) of the Financial Assistance for Political Parties Act (Northern Ireland) 2000, this Assembly approves the revised scheme (NIA 26/07-08) laid before the Assembly on 20 September 2007, for payments to political parties for the purpose of assisting Members of the Northern Ireland Assembly who are connected with such parties to perform their Assembly duties.

PRIVATE MEMBERS' BUSINESS

Classroom Assistants

Mr Deputy Speaker: The Business Committee has agreed to allow up to one and a half hours for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to wind up. All other speakers will have five minutes. Two amendments have been received and published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes to wind up.

Mr B McCrea: I beg to move

That this Assembly calls upon the Minister of Education to intervene immediately in the classroom assistants' dispute, in recognition of the vital role of classroom assistants, and to prevent disruption to children's education.

Recently, the Assembly discussed the matter of classroom assistants and called on the Minister to intervene directly to resolve a very serious situation. I am disappointed that the Minister is not here to talk about the issue.

At the time, the Minister said she did not have a problem and that she thought that she had already complied with —

Ms S Ramsey: Will the Member give way?

Mr B McCrea: I will give way, but —

Ms S Ramsey: It is just a point of information.

Mr B McCrea: I will give way, although the Member will get her chance to speak, if it is a point of information.

Ms S Ramsey: I thank the Member for that.

The Minister is on her way down. The debate was not due to start for another 10 minutes.

Mr B McCrea: I appreciate that information, and that is fair enough.

I hope that when I get to the summation she will be able to understand what I am going to say.

Mr Paisley Jnr: On a point of order, Mr Deputy Speaker. Will you make a very clear ruling that the House determines its business? It is not set by some timetable that is out of our control, and Members should be in their places when debates start.

Mr Deputy Speaker: The timings are just indicative.

Mr B McCrea: Given that the clock has now started again, and the Minister has arrived, I will try again.

The Assembly discussed the matter of classroom assistants not so long ago, and Members urged the Minister to get involved directly. In response to that motion, tabled by Mr Dominic Bradley, the Minister said that she did not think that she had to do any more

than had been done already. The Minister felt that she had brought in an equitable solution. At that time she clearly did not think there was a problem.

Now the Assembly is faced with a botched negotiation, a strike, and entrenched positions that will be extremely difficult to resolve.

When her colleague the Minister of Agriculture and Rural Development was faced with the foot-and-mouth disease crisis she moved with considerable alacrity, consulted widely with all of the stakeholders, and was commended by the Executive for the speed at which she dealt with the situation. I wonder if the Minister of Education will respond in a similar manner to the grave situation that we now face, or will she continue to focus her attention elsewhere? Will she stop considering ideological hobby horses and start dealing with matters in hand? When will the Minister realise that photo opportunities are all well and good, but that there are some tough issues to be dealt with?

The previous debate on this subject was extremely useful, and I do not intend to go over the core issues that were raised. However, I bring to the attention of the House some important matters of detail that explain the problems we face. It is important that the Minister gets involved, because the matter is serious and is escalating out of control. Now is the time to intervene decisively, to show leadership and to take control. The Minister must tell us exactly how she will resolve the situation — a final offer has been made and rejected, a ballot has been taken, and people are now on strike.

Classroom assistants feel that they are being asked to take a pay cut, and they cannot understand why. Members agree that they do a good job. However, classroom assistants feel that they are the scapegoats for failures elsewhere. While I deal with the situation of misunderstandings, will the Minister clarify exactly how many classroom assistants will need pay protection to avoid a reduction in pay? There appears to be a misunderstanding whether that is an issue.

The Minister's Department presented the Committee for Education with a briefing note. It used the words:

"Not all posts were expected to increase in grade as a result of evaluation."

and,

"The results of the classroom assistants' evaluation also show that many are in fact already correctly graded."

Finally, the briefing note says that:

"It is therefore a considerable cause for concern that non union members are being denied the arrears due to them."

That may all be true. However, it does not suggest that they will have to take a pay cut. That seems to be the crux of the issue. Some people are being asked to take a pay cut, but everyone else says that they do rather well.

I have heard it said on several occasions — usually by people on £60,000 a year — that there are probably too many classroom assistants and that they are probably overpaid. Does the Minister think that classroom assistants are overpaid? Could she clarify that point?

I acknowledge that, for some time, the Minister's Department has been working hard on those issues. However, does the Minister know how hard and for how long? Does she know, for example, that, in November 2005, the South Eastern Education and Library Board reported to the Department that it would have a deficit of £600,000 after repaying £3.5 million to the Department for a previous problem? However, six weeks later, the board said that it was sorry and that it had made a mistake: the calculation was £2 million out because it had forgotten to include the thirteenth lunar month for the pay for classroom assistants, and it had forgotten to include in the budget that there might be a job evaluation and pay review. Suddenly there was a big problem.

There are other issues. Is the Minister aware of KPMG's final report, which shows that the number of special educational needs (SEN) applications had doubled from one year to the next? The report comes up with cryptic words and suggests that we should:

"Focus medical input on relevant issues".

What does that mean? It means that we want fewer SENs. There should be fewer statements, not because they are not needed, but because we cannot afford them. Furthermore, the report refers to "adult/general assistants", rather than specialist assistants.

Therefore, classroom assistants must be downgraded. We should:

"Revisit and implement recommendations of Internal Audit report on Classroom Assistants (June 2004)

— Some management responses require challenge."

In other words, go back and think again. Finally:

"Revise policy decisions

— Employment of over-qualified classroom assistants

— Non-legislative employment of nursery classroom assistants."

Taken in the round, it means that while trying to carry out a fair and equitable job evaluation, a decision was also taken to reduce the number of classroom assistants and the amount of pay that they receive.

Is the Minister aware that the Department, when it was doing those things, was acting in opposition to the strategic direction of the rest of the United Kingdom?

'Raising standards and tackling workload: a national agreement' was a unique agreement between Government, unions and teachers, which attempted to tackle stress levels and overwork in schools. Key to that strategy was increasing the number of classroom

assistants and improving the training they received. Therefore at a time when the Department of Education was seeking to reduce numbers in Northern Ireland, other areas were increasing them. Given that this situation has come to a head, I am interested in what the Minister of Education has to say about that.

Other Members will speak of pay cuts, NVQ level 3 and other matters that have been raised. I do not know what is to blame for this situation, but I know the effect — morale has plummeted. Good, decent people are leaving the jobs they love.

In addition, we now have a situation in which children who were getting one-to-one care are now being bussed to other schools. The result is that children with behavioural problems are being grouped together with children with autism. That is not efficient, effective or humane, because the first group know exactly which buttons to press to annoy the children with autism. That is not the right way forward.

Classroom assistants need this dispute to be resolved. The debate has gone on for far too long, and everyone now wants to know what is going to be done to resolve the situation. The time for prevarication, dithering and concentrating on issues such as Irish-medium education is over. These issues are more pressing. Mr Speaker, I ask the Minister to put forward some way to resolve the situation or schools will close.

Mr Deputy Speaker: Thank you, Mr McCrea; I was not expecting the promotion to Speaker so soon.
[Laughter.]

Ms Purvis: I beg to move amendment No 1: Leave out all after “Education” and insert

“to implement the recommendations put forward by the trade unions in the dispute over classroom assistants’ pay evaluation, and to liaise with the Minister of Finance and Personnel to ensure that funds are made available in order to resolve the situation and avert strike action.”

I have listened carefully to Basil McCrea’s comments. Some time ago, the Assembly debated the issue of classroom assistants. I have tabled the amendment in order to ask Members whether they care about children, their education and who looks after them. Do Members care if the people who look after their children are skilled and educated to the required level? Do they feel it safe to allow their children to be left in such care? Members must consider those questions whenever classroom assistants are discussed.

Members will talk about pay evaluation, special-needs allowances, the need to have qualifications to NVQ level 3, the hourly pay divisor, 32·5-hour week, and pay protection. However, that does not take away from the fact that this debate is about children, some of whom are the most vulnerable in society.

It is easy to talk about money and pay; it is easy to get bogged down in discussing how much more per hour a person earns and how we protect the 32·5-hour week.

1.15 pm

However, children are at the heart of the debate, especially the most vulnerable children, such as those from disadvantaged backgrounds, those suffering from autistic spectrum disorder, those with behavioural difficulties or attention deficit hyperactivity disorder, and those who have been traumatised by domestic violence or psychological abuse. Children can be affected by a wide range of issues, such as poverty, the environment and poor housing. Classroom assistants tend to work in schools in disadvantaged areas and with the most vulnerable children.

I would like to ask the Minister a direct question. I do not support the second amendment, because the Minister has met the trade unions, management side and the boards. The issues of special needs, NVQ level 3, the hourly pay divisor and pay protection have all been discussed at those meetings. They are continually being discussed. I asked the Minister the other day how the dispute could be resolved. She replied that all she could tell me was that negotiations were ongoing.

I can tell the Minister that negotiations are not ongoing. Representatives of the management side have met trade unions in the last few months and they have not negotiated; they set down the final offer that was discussed in the last debate, and they have not moved one millimetre, never mind one inch, on the issue. No negotiation is taking place.

The simple reason for that is that there is no money. The Minister should stand up and say that there is no money. It is great to see the co-operation of the Executive and the collective decision-making when it comes to money. However, Members are on their own when it comes to asking for new money. The sides split; nobody walks across the Floor when it comes to new money. The co-operation will probably end today because of this issue.

Members must stand up and be counted. Do we care about the children and the people who look after them? When the parent of a child with special needs goes to work, he or she leaves with the knowledge that the child is being looked after to the best standard available because of the classroom assistant’s skills. How can a parent leave with confidence, unless he or she knows that the child will be well looked after?

If assistants are expected to take a cut in pay or if they do not have to be qualified to NVQ level 3, will the parent have the confidence to leave his or her child in the classroom?

Mr S Wilson: I am worried about the line that the Member is taking. The implication is that classroom

assistants — who do a superb job — will do that job only if they are given the right amount of money, and, if not given that money, will do a second-class job.

I would like the Member to clarify that, regardless of this pay dispute, classroom assistants do not have to be bribed to give the care and attention that they give to youngsters. They give it very well.

Ms Purvis: The Member is absolutely right. I apologise if I gave the impression that classroom assistants will not do their jobs properly if they are not given the level of pay that they want. As I said, this dispute is also about skills and qualifications and the special-needs allowance. It is about people who can care for children to a certain standard. We have that standard, and classroom assistants do a tremendous job, which is why the Assembly and the Minister must take the issue so seriously. We will see standards sliding if the requirement that assistants have an NVQ level 3 is not retained.

The issue boils down to how women and how disadvantaged and vulnerable children are valued and respected in this society. It is time that Members stood up — rather than hide behind their party policy or the co-operativeness of the Executive — and told the Executive to put their money where their collective mouth is. Do they support those people or not?

Mr Donaldson: I beg to move amendment No 2: Leave out all after the second “assistants” and insert

“by convening an urgent meeting of the Department, employers and Trade Union side in the dispute, with an agreed agenda to include (a) retention of the Special Needs Allowance; (b) retention of the 32.5 hourly pay divisor; (c) NVQ III and the job evaluation exercise; and (d) adequate pay protection arrangements, in order to prevent disruption to children’s education.”

I declare an interest as a governor of Parkview Special School in Lisburn. I echo the comments of the Member for East Belfast Ms Purvis in respect of the excellent work carried out by classroom assistants — particularly in special schools. Ms Purvis mentioned children on the autistic spectrum. I have had the privilege of witnessing at first hand — in Parkview Special School in Lisburn; in Beechlawn Special School in Hillsborough; and in Brookfield Special School in Moira — the excellent work that is done by classroom assistants in special education. There is no doubt in my mind that they are essential and that they provide an excellent support service to teaching staff in those special schools.

Owing to the Government’s policy of integrating children with special needs into mainstream education — through the Special Educational Needs and Disability (Northern Ireland) Order 2005 — there are now many classroom assistants working in mainstream schools across Northern Ireland. They provide support to those pupils with special needs who have, and are being, integrated into those schools, and they do very important

work. Classroom assistants also work in the pre-school, nursery and the early-years sectors in Northern Ireland.

No Member would dissent from the view that we have the highest regard for classroom assistants. That was also indicated by the Member for Lagan Valley Basil McCrea when he proposed the motion.

There needs to be a resolution to the dispute. Urgency is required because, on Wednesday 26 September 2007, if there is no progress in the discussions, there is the prospect of industrial action, which will result in classroom assistants withdrawing their services for the day. For the special schools, that probably means having to close for the day because they cannot manage without the support provided by the classroom assistants. I have already had — as, I am sure, have other Members — calls from worried parents who are concerned about what they will do if those schools have to close.

Some parents are in a situation where both of them work, and they depend on their children going to school to be able to get their domestic affairs in order. They are also concerned about what will happen if industrial action intensifies. There is the possibility of a three-day closure, then progressively increasing the number of days on which schools are closed. I believe that all Members take the view that it is in everyone’s best interest — particularly the children and their parents — if industrial action can be avoided.

I, in common with many Members, have received correspondence from classroom assistants outlining their case.

I will quote from two such letters. The first is from Mrs Heather McCann, who lives in my own constituency. Heather is one of 16 classroom assistants in Beechlawn Special School in Hillsborough. She wrote:

“The Education Board feel that we should be brought into line with clerical staff i.e. a 36 hour week and the same pay scales, but we are classroom based, not office based. We work hand in hand with the teachers — for and on behalf of the children. The Education Board seem to feel this role has very little value at all. Their proposals have made us feel demoralised, devalued and degraded.”

I met Heather and some of her colleagues from Beechlawn Special School. The classroom assistants feel strongly about the manner in which they are being dealt. They feel particularly strongly about the hourly divisor that will be used to calculate their pay. Although they do not claim to be teaching staff, they work similar hours to teachers and are classroom-based. They consider that the 32-hour divisor that was used hitherto ought to be retained for the calculation of their pay. Some will lose out financially if the Department and the boards proceed with current proposals.

I feel strongly that that would be unfair, particularly for those classroom assistants who have been in their jobs for many years and who are being told that their

existing contracts will be linked to the children that they support. Therefore, if a classroom assistant supports a child who is reaching their final years of education, the assistant's contract may have only one or two years to go before they have to begin again. I understand why they would feel aggrieved about that.

Mr S Wilson: I thank the Member for giving way. Does the Member accept that, given that classroom assistants' hours are linked to those of children, it is impossible for an assistant to work a full week? Classroom assistants can work only 32·5 hours a week. Therefore, it is unfair to equate them with clerical staff, who may continue working after school hours. Working longer hours would mean that they would be penalised. If classroom assistants cannot work a full week, how can they acquire a full pension entitlement?

Mr Donaldson: I thank my hon Friend for his intervention. He is absolutely right. The unfairness of what is proposed for classroom assistants is at the heart of the dispute. I understand why classroom assistants feel so strongly and why they are prepared to take industrial action.

I will quote from a letter that Mrs Lorraine Kelly wrote. She is a classroom assistant in the Minister's constituency, and she works in St Colmcille's High School in Crossgar. She wrote:

"I do what I consider to be very important and rewarding work as a classroom assistant, helping children with physical or learning difficulties to access the school curriculum, but my sense of self-worth has been eroded by a long-standing failure of government (from 1995) to settle a pay dispute and award a fair wage to myself and my colleagues."

She has a valid point.

That brings me to ask what the Assembly can do to assist in the resolution of the dispute. I share the concerns raised by Mr McCrea, a Member for Lagan Valley. With the greatest respect, I say to the Minister that the Department is not giving this issue the priority attention that it deserves. When the Minister spoke in the previous Assembly debate on the matter, she said "This matter is urgent" — [*Official Report, Vol 22, No 13, p559, col 1*].

However, we are no further on. One has no sense that the Department is trying urgently to resolve the matter. Echoing Mr McCrea's words, I am saying to the Minister that I want to hear more about the Department's prioritising this sort of issue and spending less time on smaller issues such as Irish-medium education. In the overall scheme of things, Irish-medium education affects a small number of pupils, whereas this affects large numbers of pupils and staff. Therefore, it deserves greater priority than the Minister gives it. I hope that she will assure us that, when she says that a matter is urgent, she will act with the urgency that it deserves.

1.30 pm

I commend to the House the amendment that my hon Friend Miss McIlveen and I tabled. I cannot support the amendment that the Member for East Belfast Ms Purvis tabled, because it is not for the Assembly to determine the outcome of the classroom assistants' dispute. It is a matter for the employer, the classroom assistants, the trade unions and the Department of Education to resolve.

The DUP amendment urges those involved to resolve the dispute immediately, in terms that are beneficial to classroom assistants, and to address adequately the agenda items, as listed in our amendment, that should be at the heart of any meeting. Our amendment outlines the appropriate role for the Assembly to take. I urge the Department to sort out the matter, avert strike action and give the classroom assistants a decent and fair deal.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. Ar dtús, ba mhaith liom a rá go bhfuil Sinn Féin ag tabhairt tacaíochta do na cúntóirí ranga ina bhfeachtas ar son páighe agus coinníollacha le roinnt blianta anuas. Over many years, Sinn Féin has given full backing to classroom assistants in their campaign for better pay and conditions. Sinn Féin MLAs and councillors have stood on picket lines alongside classroom assistants. Sinn Féin's elected representatives have publicly raised the issue and backed classroom assistants. Others in the Chamber, including some from the parties that tabled the motion and amendments, have not been as proactive as they would have us believe.

Since the debate on the classroom assistants' dispute in June, much criticism has been levelled at the Minister of Education, Caitríona Ruane. What have those who tabled the motion and the amendments, and who lined up in June to criticise Caitríona Ruane, done in the intervening period to achieve a resolution, except to bring the matter to the Assembly at the eleventh hour?

There has been an ongoing campaign against the Minister of Education —

Mr B McCrea: Will the Member give way?

Mr Butler: No.

The classroom assistants' dispute is the latest in a host of issues in that campaign.

Sinn Féin fully recognises the pivotal role that classroom assistants play in the education system. They deserve, and should be entitled to, pay and work conditions that reflect their important role in education. Many industrial disputes are settled in a matter of months, so it is unfortunate that the dispute in question has continued for 11 years. It is legitimate to ask why it has taken 11 years for the dispute to reach the point at which industrial action will be taken on Wednesday.

I hope that we can avert the imminent industrial action at this late hour.

Sinn Féin supports the motion, which calls on the Minister to intervene in the dispute. However, we cannot support the proposed amendments. They would place restrictions on all sides involved. They would also put the Minister in a difficult position should she intervene, since she would have to get agreement from all sides. All parties that are involved in the dispute must get around the table to try to reach agreement, and the amendments, if accepted, would not assist that outcome.

The dispute has been going on for far too long. The employers, the education and library boards and the unions that represent the classroom assistants must redouble their efforts to bring the dispute to an end. Classroom assistants have been left behind by a job-evaluation exercise that dates from 1995. That exercise has been completed for other sections of the education and library boards' workforce but has left classroom assistants in an unfortunate situation.

Despite having protested and gone on strike, classroom assistants are still involved in a protracted industrial dispute over their pay and conditions. Tuigean Sinn Féin ról lárnach tábhachtach cúntóirí ranga, agus ba chóir cothrom na Féinne a thabhairt dóibh.

The Assembly must acknowledge that, as another Member said, 99% of classroom assistants are female. Those women are reluctant to go down the road of strike action: it does not come easily to them, given that they work with children, many of whom have special needs. The Assembly must also acknowledge the help and support that classroom assistants have provided to children with special needs and learning difficulties. The classroom assistant's role is often to help children who would otherwise fall behind the rest of the class.

Caitríona Ruane has met all the parties involved in negotiations and has made resources available to resolve the dispute. Unfortunately, her efforts have not been able to end it, and industrial action is due to take place on 26 September. The priority is to resolve the dispute.

Mrs M Bradley: In today's politically correct society, equality plays a major part in any employment scenario. Therefore, it is disturbing when a group of people in education, who play a major part in children's school days, have largely been ignored and undervalued for the past 12 years.

Next to the home, parents expect schools to be places of contentment and learning for their children and grandchildren. Five days a week, parents entrust their children to the safe haven of school, where they will learn and play their way through a curriculum that expands year after year and demands more and more from teachers and classroom assistants. Yet, classroom assistants must fight to get what is rightfully theirs.

It is unbelievable and disgraceful that classroom assistants must fight to have 12 years of wrongful grading corrected and face the prospect that their hourly rate will also be devalued. The outlook is even bleaker for those who work with children who have statements of special educational need: they stand to lose their special-needs allowance. Why should that happen when the payment will remain untouched for teachers in Northern Ireland and classroom assistants in the UK?

That is only one of the many symptoms of the vile disease of cuts in the education system. However, who decided that the lower-paid worker should suffer? My colleague, Dominic Bradley, and I met classroom assistants and their representatives. Their frustration was palpable. Indeed, there was anger, because some of their colleagues have died — one in May 2007, for example — without having received what was due to them. There is much bad feeling about that.

However, the dedication of the workers continues. They have tried desperately to resolve the situation and have not once allowed it to interfere in the education of Northern Ireland's children. All they have received in return for their loyalty and dedication are additional problems to overcome, such as their payment divisor being amended in order that the education and library boards could save money. In this day and age, how could an employer allocate set working hours, yet use a divisor of 3.5 hours when working out salary increases just to ease the burden on their budget? It is criminal and disgraceful, and a private organisation would have been in court quicker than one could say "compensation".

Mr Gardiner: Does the hon Member agree that classroom assistants are more than just that? Under child protection law, they are also the eyes and ears of those in more senior positions in the school; for example, when people are patrolling around a school in order to prey on young children — totally unacceptable behaviour that should result in such people being put behind bars immediately.

Mrs M Bradley: I thank the Member for his intervention. I certainly agree with him. Put all of that — and the wrangling over the NVQ level 3, which, despite being essential for employment as a classroom assistant, will go unrecognised — into a large melting pot, and the result is 7,000 classroom assistants who are sick, sore and tired of being booted between the five education and library boards and the Department. They are sick of being given excuse after excuse. The result is that 93% have had enough and have spoken by ballot.

Apart from the workers, the other losers are the children who depend daily on the extra help that is given so carefully by classroom assistants.

Therefore, I can see no reason why every Assembly Member should not — or could not — make an effort to resolve that scandalous situation. We face a real

threat of strike action, which we have been informed about this week. Therefore, I urge the Minister of Education — as I did on 19 June 2007 — to do all in her power to help resolve this matter, rather than delaying the game any further. Otherwise, the ball will be lifted and the players will leave the pitch.

Spending £30 million was never going to make the problem go away. What is different now? I am interested to know whether the Minister saw the press coverage at the weekend of how her colleagues, at last — at least those in Derry — are supporting the classroom assistants: or was that just a case of jumping on the bandwagon to grab a headline?

Mr P J Bradley: I apologise for taking up my colleague's time. I recall a morning, outside St Mark's High School in Warrenpoint, when the Minister — then an ordinary Assembly Member — stood with protesting classroom assistants and offered them 100% support. I am concerned that that support has now been retracted, and I ask the Minister whether those classroom assistants are entitled to equality in the workplace.

Mr Deputy Speaker: I remind the House that when Members give way, they are entitled to an extra minute.

Mrs M Bradley: As I said, I asked the Minister, on 19 June 2007, to do something about the classroom assistants' situation. I felt passionately about the issue then, as I continue to do. I remind the Minister that she has children who attend school and, therefore, will recognise the worth of classroom assistants. We all know their worth. End the current situation in which those classroom assistants find themselves, and end it now.

Some Members: Hear, hear.

Mr Lunn: It is unfortunate that, yet again, we are debating the same issue that was debated — and on which a motion was passed — on 19 June 2007. Given the threat of industrial action, and the potentially devastating effect of that on the education of our children, it is entirely appropriate that we revisit the matter. I hope that the Minister gets the message this time.

The Alliance Party is sympathetic to the unions in as far as the current problem represents the last outstanding dispute. Nevertheless, we cannot simply agree to the unions' recommendations without taking into account the financial reality faced by the Department and the education and library boards. The amendment tabled by Dawn Purvis takes no account of financial reality; it merely asks the Minister of Finance and Personnel to bankroll the settlement of an industrial dispute. That is ridiculous.

There is a significant gap between the funds that are available and the funds that are required to meet the trade unions' recommendations. If that gap were bridged,

money would have to be taken from elsewhere in the education budget.

I point out the cost of segregation, as highlighted by Deloitte, and its effect on the education budget in particular. If we did not have so much duplication of expenditure in Northern Ireland, there would be more money available to do the work that really matters. My colleagues and I have received significant levels of correspondence from classroom assistants, as has, I am sure, every Member. I can tell Ms Purvis that the correspondence was not solely from females. I detected a hint of sexism in Ms Purvis's approach to the issue. It is not a gender issue.

Ms Purvis: I call Members' attention to my contribution to the debate on 19 June 2007. I said quite clearly during that debate that the majority of classroom assistants were women. I apologise if I gave the impression that I was talking only about women. However, the majority of classroom assistants are women and, therefore, the majority of classroom assistants affected by that decision are women.

Mr Lunn: Fair enough. I thank the Member for clarifying that point. However, I know how her remarks sounded. The issue of classroom assistants' remuneration is extremely complex. Like so many issues, it can only be resolved through dialogue. Complications include the details of re-evaluation; the requirement of the boards, which are currently underfunded, to provide the money; and the need to channel appropriate money to the boards.

There is no easy solution and there is no point in pretending otherwise. The implication of Ms Purvis's amendment is that the wage increase should be paid. Last week in the Chamber I said that parents, teaching professionals and everyone else with a stake in education are becoming increasingly concerned by the Minister's lack of action in a range of areas.

It is my view that urgent action by the Minister — starting a dialogue with the unions, at least — could still help to avert strike action. We must not restrict the Minister's actions unnecessarily. That said, it is really hard not to sympathise with the unions' views, particularly as regards the special-needs allowance, the requirement for NVQ level 3 — now discarded by the boards — and the 32·5-hour/36-hour pay divisor.

1.45 pm

However, it is up to the Minister to judge how best to take this matter forward, and it is up to Members to urge her and encourage her to do so. I trust that she will move the process on as quickly as possible. The Alliance Party intends to support the motion and amendment No 2.

Miss McIlveen: In June, the Assembly called on the Minister of Education to take immediate action to settle

the issue of job evaluation for classroom assistants. It is now September, and we face the prospect of industrial action in two days' time by one of the unions. I understand that it is only a matter of time before other unions ballot their members on the issue.

The Minister has been charged to act and has failed to deliver the goods. I am not surprised by that failure. It is just one in a string of failures: there has been a failure to decide on the issue of academic selection; a failure to provide a clear policy on the implementation of the Bain Report; and a failure to account to the Assembly for her exorbitance in her announcements on the opening of wasteful Irish-medium schools and on unnecessary amalgamations. No doubt the longer she remains in her present post, the longer the failures will continue to mount.

She is the second Sinn Féin Education Minister to have failed to deal with this pay dispute, which is now the longest-running pay dispute ever in Northern Ireland. I am beginning to wonder whether a Sinn Féin Education Minister will ever do anything constructive while holding the ministerial portfolio. Do destructive habits die hard?

I am not surprised that the situation has reached the point where classroom assistants have resolved to strike. In fact, I applaud the classroom assistants for their patience. It has been a long 12 years. They play a valued role in the education of our children but remain some of the lowest-paid workers in the public sector. The facts and figures surrounding this dispute have been detailed not only in this debate, but in the debate in June. I do not intend to rehearse them. Suffice it to say, we are no further forward now than we were back then.

It is time that the Minister and the Department sat down with the education boards and the unions, and they must not leave until this matter is resolved. Amendment No 2 calls for an appropriate agenda for those talks. It does not call for capitulation, but for discussion and negotiation. If such discussions are to take place — and I sincerely hope that they will — I will ask for all parties to approach the matter with mature, open minds to come to an equitable settlement. Unfortunately, I am unable to support amendment No 1, tabled by the Member for East Belfast. That amendment shifts the blame to the Minister of Finance and Personnel. This matter clearly falls within the remit of the Minister of Education and her Department, and it is up to her and her Department to sort it out once and for all.

One union has voted for strike action, but let us not permit the current situation to deteriorate any further. I echo UNISON's call for eleventh-hour talks to resolve the dispute. We must remember that it will be the children who will suffer from the disruption of their education. Working parents will face additional expense as a result of additional childminding costs, and all

parents will face upheaval as they may be forced to collect their children halfway through a school day because of insufficient staffing. Even if this week's strike action is not avoided, I call on the Minister and the Department not to rest until a resolution is found — before further days are lost.

Ms S Ramsey: Go raibh maith agat. I think that the Member has let the cat out of the bag on the Department of Finance and Personnel issue. She said that discussions to resolve this dispute should be supported by all parties, and I agree with her. However, making cheap jibes at the Minister of Education does not show a desire to encourage all parties to support those efforts. In my view, getting rid of the 11-plus was good work carried out by a Sinn Féin Education Minister, as was increasing the amount of money spent on special education. If this is about collective decision-making and responsibility —

Mr Storey: Will the Member give way?

Ms S Ramsey: No, I will not give way.

If the Member is serious about getting all-party support on this matter, she should stay away from the cheap jibes.

I support Basil McCrea's motion, which calls on the Minister to intervene in the classroom assistants' pay dispute. I fully accept — as did Jeffrey Donaldson — that the matter is complex and that we all want to see it resolved.

Mary Bradley is right; this does not just have a negative impact on us as Assembly Members or on communities in general. It has a negative impact on our children and on the work that classroom assistants do every day. They are not there just to assist. They are there to play a positive role in the lives of the children they work with. In fairness, every Member who has contributed to this debate has recognised the positive work that is done by classroom assistants. There is no dispute about the contribution that they make to our schools, especially in relation to children with special educational needs — that has also been mentioned in the debate.

Classroom assistants make up one of the most highly professional sectors of the educational workforce, providing learning support to the most vulnerable people in society. Several debates over the past few weeks in the Assembly have mentioned young people with special needs and those who live in poverty. It is important to recognise that when we — or the Executive, collectively — talk about the most vulnerable people in society. The Minister has a measure of responsibility, but so does the Executive. If this is solely a matter of funding — and I know that it is not — the Executive, through the Department of Finance and Personnel, the Minister of Education and her Department, must sort it out now.

There is no doubt in the Chamber about the role of classroom assistants. No one would challenge the value of their contribution. This dispute has gone on for 10 or 11 years, and, in fairness to Mary Bradley, I do not think that any of my colleagues in Derry has taken cheap publicity shots on this. I have been on the picket line over the years. If we are being honest, and saying that we all support the motion for whatever reason, and want it resolved once and for all, we should not take cheap shots. The Minister has children of her own, and in the previous debate on 19 June committed herself to resolving the situation. I support her in her efforts. Go raibh maith agat.

Mr Shannon: I support the DUP amendment. The Assembly discussed this not so long ago and made a strong case for equality, fairness and justice for the 7,000 classroom assistants in the workforce.

I am sure that Members are familiar with the film 'Groundhog Day', in which Bill Murray's alarm clock wakes him every day at 6.00 am to the sound of Cher's singing, and his day repeats over and over again. We have an equivalent in the Chamber and the Province: Caitríona Ruane is the actress starring in 'Groundhog Day'. She wakes up every day at 6.00 am, the alarm goes off, Cher is singing, and the same thing happens for the classroom assistants — nothing.

The classroom assistants have had the same problem for the past 12 years. They have been waking up to the same thing over and over again. The time has come for the Minister to accept her responsibility and decide that it is time to move on.

In a rare feat for the Assembly some time back in June, there was little disagreement about the fact that the situation is unfair. However, there was a not-so-rare attempt by the Shinnars to twist words to protect their Minister and say that she is doing all she can. The fact of the matter is —

Mr Brady: Will the Member give way?

Mr Shannon: No, I will not. One might safely say that we are in a worse situation, as the classroom assistants' union have decided that they have no option but to strike. That is not a decision that the members of the union have taken lightly. Indeed, it is all that is left to them to do after 12 years of patience, talking, and waiting for the Government, our Assembly and our Minister to do something. They have no desire whatsoever to stand outside the schools on Wednesday and watch the children whom they love and help walk past them into the classrooms without them.

For the record, members of my party and I have stood on the picket line with the classroom assistants. I did it in Portavogie and in Newtownards, and I am sure that other Members will say that they have done so elsewhere.

Classroom assistants do not wish to leave the teachers, whose workload is incredibly high due to the amount of paperwork and red tape that they must wade through in addition to teaching 30 children, without help. For 12 years, classroom assistants have allowed their thoughts of the children and their respect for their teacher colleagues to stop them taking the strike action that has often been the port of call for so many other employment issues. However, enough is enough: we can no longer blame the indifference of the direct rule Minister. We must look closer to home to see why our classroom assistants are left with nothing else to do other than wait for justice for another 12 years. Such a wait cannot be expected.

I could mention in detail, as other Members have done, the special-needs allowance, the change in the salaries for classroom assistants, and that their pay is based on a 36-hour week despite the fact that most of them work only 10 to 12 hours a week. Instead, I will put on record the concerns of my constituents, who have repeatedly and forcefully reiterated the need for classroom assistants in the schools in my constituency of Strangford. Parents have acknowledged the vital role played by classroom assistants in the education of their children. As other Members have said, children who are young, were premature or have slight learning difficulties are still able to excel and fulfil their potential given the opportunity offered by the support and commitment from classroom assistants. Teachers have explained to me how overwhelming their job is and that it would be impossible to meet the criteria and allow each child to find his or her individual place in the classroom without the aid of a classroom assistant. They would find it next to impossible to do it all by themselves, and they rely on the presence of the assistant, not only for learning resources but for help with behavioural issues.

It has been found that children are better behaved in classrooms that have classroom assistants. They give the teachers eyes in the back of their head to see what is going on in the classroom. I have also been told of one school, where the cleaner can potentially earn more than the classroom assistants. Where is the equality and fairness in that?

Classroom assistants have done their job faithfully year after year, supporting the teacher, loving the children and pouring immeasurable worth into their lives, and it galls them to consider strike action. When 93% of classroom assistants voted for strike action, they did so out of desperation. I ask the Minister to consider that and to do the right thing: release the money and ensure that equality and fairness prevail, beginning in our schools where the future of our children is at stake, and do it now. Let us not see this matter before the House in another few months. Members must demand a difference and teach the

learning authority a lesson on fairness, which it has consistently failed to heed for the past 12 years.

As 'Groundhog Day' finished on a happy note, I urge the Minister to conclude this issue on a happy note for classroom assistants.

Mr K Robinson: As a governor of two primary schools in Newtownabbey, I declare an interest in the matter. It is a hard act to follow our film critic, Mr Shannon, but at least he did not burst into song as some of his colleagues are apt to do. *[Interruption.]* Please no, please no.

Along with other Members, I have a sense of déjà vu as we again debate the issue of classroom assistants. The long-running dispute is in danger of finding a slot in 'Guinness World Records' if it continues to bounce along with no satisfactory outcome in sight.

One of the major bones of contention is the requirement to offer a level 3 NVQ when applying for the position of a classroom assistant. That is a perfectly reasonable requirement as we seek to improve the qualification levels of all of those working in schools and strive to increase the standards of literacy and numeracy. However, the failure to recognise such a vital qualification during the negotiations around the job evaluation is puzzling to say the least and is clearly an unsustainable situation.

In 2003, the Government produced a key document entitled 'Raising Standards and Tackling Workload'. While clearly differentiating between the roles of teachers and assistants, it stated:

"The remuneration of support staff, including high level teaching assistants, will need to reflect their level of training, skills and responsibilities"

Surely, that suggests that the boards should now take into account the qualifications of classroom assistants, namely, the NVQs. However, there appears to have been a last-minute "moving of the waters", which might allow some common sense to reign at last.

2.00 pm

Mr Kennedy: Does the Member welcome the fact that it appears that, as a consequence of today's motion, which stands in the name of the Ulster Unionist Party, progress has — at long last — been made on the dispute? Does he agree that such progress will be very welcome?

Mr K Robinson: I am glad that the Member has intervened, even if he has stolen my thunder. I have in my hand a fax that suggests that there has been some movement between the employers and the unions. I think that a meeting took place between them on Friday afternoon, at which an offer was proposed. That offer was to be made known today. Whether that has happened, I cannot comment, but I hope that the Minister will confirm that that is the situation.

The union side has apparently met the chief executives of the five boards, and, although that is not the usual negotiating position, it at least represents forward movement. Those emergency talks appear to have led to an offer's being made this morning. Whether that offer is acceptable and meaningful, we wait for the Minister to tell us. I hope that the offer will be meaningful. I hope that it will protect the historical contractual rights and include a framework that will enable the service to meet not only its current needs but its future needs.

Mrs D Kelly: Will the Member give way?

Mr K Robinson: I am sorry; I am running out of time.

However, the Department and the Minister must come clean. The Minister must assure the House that they are not rigidly instructing the employers to remain within some predetermined financial allocation, thereby delaying any potential settlement.

Given that the Minister has some difficulty in grasping the serious roadblock that such a stance may be causing when the problem is expressed to her in plain English, I put it to her in a language that she promotes ad nauseam? Fág an bealach. Minister. Clear the way, and settle the issue now.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle. I say immediately that I find myself very much in sympathy with the motion. I regret that the dispute has continued for so long, and I do not want to see any disruption caused to our children's education. I recognise fully the vital role that classroom assistants perform, and I take this opportunity to express my gratitude and appreciation to them once again.

I have visited many schools since my appointment and have seen at first hand the commitment that so many dedicated individuals in our education system show. Classroom assistants play an invaluable role. They are a hugely positive force in the lives of the children whom they serve. They work with some of our most-vulnerable young people, including those who have a range of special needs. They provide much-needed general support in every primary 1 class, and in those primary 2 classes in areas where attainment is low and social deprivation far too high.

Mrs D Kelly: Will the Minister give way?

Ms Ruane: I will not, no.

For me, there is absolutely no doubt about the value of the role that classroom assistants play in the education of our children and young people. It was only right, therefore, that a proper mechanism be put in place to ensure that the work that classroom assistants carry out was evaluated fairly and consistently, and to ensure that jobs of equal value received equal pay. That was the purpose of the job evaluation scheme.

Nuair a phléigh muid an t-ábhar seo an uair dheireanach ar 19 Meitheamh, ghlac mé leis go raibh an scéal ag dul ar aghaidh ar feadh ró-fhada agus gur gá é a réiteach gan mhoill. Rinne mé amach labhairt leis na boird agus leis na ceardchumann faoin ábhar.

When we last debated the issue of classroom assistants, on 19 June 2007, I accepted that the dispute had gone on far too long. I undertook to speak to the boards and the trade unions to urge them to reach a speedy resolution to the dispute. After that debate, I met the boards on 21 June and the unions on 29 June. I made it absolutely clear to both sides that, in the interests of the classroom assistants and the children with whom they work, they needed to redouble their efforts in order to reach a fair and equitable settlement. I told them that that had to be done quickly, in order to enable the funding to be released into people's pay packets as soon as possible. In the period since, I have kept abreast of the situation, through briefings from my officials and through a substantial volume of correspondence, some from classroom assistants who are caught up in the dispute. Negotiations between the boards and the unions continued, with numerous meetings being held between the management side and union joint secretaries. Board chief executives and senior union officials have met to discuss the issue.

More recently, the boards have written to all classroom assistants to explain the current position on the evaluation of their posts.

A LeasCheann Comhairle, during the debate on 19 June 2007, both Members in whose name the motion stands rose to speak. Hansard records that, with reference to the funding that has been made available to the boards to resolve the dispute, Mr Basil McCrea said:

"I support the motion, because it is not for me to say what is equitable and what is not." — [*Official Report, Vol 22, No 13, p553, col 1*].

Really, does anyone know what that means? I do not, and, after listening to the Member today, I am fairly certain that he does not know either. It seems to me that, on 19 June, the Member had no understanding of the dispute and no idea how to resolve it. Judging from his contribution today, I believe that he still has no idea.

I welcome the opportunity to shine a light on the dispute. It is great to have the concerns of a group of working-class women debated in the Assembly. One might think that they will have been greatly heartened to witness Members almost trip over themselves to express their support and solidarity for those poor women. They could be forgiven a little scepticism, because, in June, those very same Members, with a few notable exceptions, did the same, but when the press had packed up and gone home, those Members did nothing.

I have laid out for the Assembly what I have done. The classroom assistants should know, however, if they do not know already, that, with the exception of people such as Paul Butler of Sinn Féin, Dawn Purvis of the PUP and one or two Members from the DUP and from the SDLP, not one of the other Members who spoke so passionately today, or on 19 June, has approached me on behalf of the classroom assistants. Not one. I have received scores of letters and questions for written and oral answer on every other issue.

Members have shown their prejudice against the Irish language; I have heard the comments. Shame on you. Do you not understand that classroom assistants work in all schools, including Irish-language schools? What you need to do is to forget the prejudice against the Irish language, stop all that nonsense and start dealing with equality. We have heard about equality in this House. Sammy Wilson — [*Interruption.*] You never miss an opportunity to show prejudice and bias against the Irish language. Your concern about gender equality is touching. Every time that I rise in the House, I am attacked, and other women who are Members are treated very badly when they rise to speak. Therefore, I hope that the classroom assistants understand how important gender equality is to your party.

Sammy Wilson, the Chairperson of the Committee for Education, is present today. What has that Committee actually done? How many times has it met with the classroom assistants? It will meet with them soon, we are told. It is only three and a half months since it saddled that particular high horse, so the Committee should be given a bit of time. Sammy's concern for the working class is touching. Sammy, if you really want to deal with working-class issues and disadvantage, you need to open your eyes and look at the debate on academic selection.

Sammy, you are sitting back to front, looking back to the good old days, while everyone else looks towards the future. Those are the same people who, unlike their Conservative counterparts in Britain or even their friends in the Flat Earth Society, would like to retain the 11-plus for the benefit of the working class. That is what Sammy Wilson tells us. Members should check out the percentage of free school meals in grammar schools compared to that in secondary schools — [*Interruption.*]

Mr K Robinson: On a point of order, Mr Deputy Speaker.

Ms Ruane: No. You will see where the working class —

Mr Deputy Speaker: Point of order.

Mr K Robinson: On a point of order, Mr Deputy Speaker. Is it not incumbent on the Minister, when replying in a debate, to stick to the points covered during that debate rather than comment on other issues?

Mr Deputy Speaker: That is a matter for the Minister. However, I ask the Minister to make her remarks through the Chair, please.

Ms Ruane: Certainly, Mr Deputy Speaker.

The issues are linked; they are the same issues. They concern working-class children and those with special needs. Sammy Wilson tells us that if he does not get his way, a breakaway education system for those grammar schools that cannot contemplate change will be set up. Again, he is obviously concerned about the working class.

Will working-class people be able to afford the fees? I will not allow children's education to become a political football. If any Member wishes, they can work with me on devising and implementing the programme for change that is needed if we are to create a modern, fit-for-purpose and world-class education system. I will not stint on my endeavours to facilitate those Members. If, on the other hand, I see Members posturing week after week, grandstanding for the media and trying to score cheap political points, regardless of the damage that that would do to the morale or well-being of children, parents and staff, I would not hesitate to expose them.

Having said that, I am concerned that since June's debate on the matter, and, despite my meetings with management and unions, there has been no real progress in finding a resolution. *[Interruption.]*

Mr Deputy Speaker: Order.

Ms Ruane: I was asked about the meetings that have occurred. Meetings between chief executives, board and union officials took place on Friday, and there was a further meeting with management representatives this morning. Having listened to what has been said today, I plan to intervene. I am now calling on the employing authorities to implement the new grades as swiftly as possible in order that, as a result of the systematic job evaluation process that was carried out, those valuable members of staff receive the rates of pay to which they are entitled. Classroom assistants have already had to wait an unacceptable length of time. We must get the money to them that they deserve.

Equally, there is nothing to be gained from the proposed industrial action. That can only disrupt children's education and result in loss of income for the staff concerned. I urge classroom assistants to call off the proposed strike.

Mrs M Bradley: Will the Minister give way?

Ms Ruane: No. I do not have time, and I have a lot more to say.

I am also calling on the employers and the unions to meet today to resolve equitably the remaining

differences. Although that would conclude the matter, which is essential, not least because of the interests of the staff concerned, I do not regard it as the ultimate solution. The issues that have arisen are part of a bigger picture.

We need to take a wider and more fundamental look at our approach to the planning and management of our schools' education workforce. We should examine the roles and responsibilities of all the main groups and maximise the contributions of each so that pupils get the benefit of the skills and expertise that all teaching staff bring. I have asked officials to draw up the terms of reference for such a review, with the aim of making progress as soon as is practicable. Go raibh maith agat.

Mr S Wilson: It is nice to see that the Minister, who did not have any time to accept interventions from the SDLP or anyone else, was able to spend 30% of her time attacking me about my attitude to, among other matters, academic selection, the working class, the Irish language, equality and the treatment of women.

Mrs D Kelly: Will the Member give way?

Mr S Wilson: No; I only have five minutes. I will not give way, nor will I attack the Member, so she need not worry.

The Minister says that she wants to deal seriously with this issue, yet she spends 30% of her speech addressing her comments to another Member on subjects that are not being discussed. If I were as paranoid as Mr Butler, I would think that she were carrying out a witch hunt. However, I am not paranoid. I am quite happy for her to make those sorts of comments. That is what we expect to happen here. However, I will not take lectures from the Minister that Members on this side of the House are not concerned, or are expressing only pseudoconcern, about the matter.

Mr McCrea, a Member for Lagan Valley, tabled the motion because, in spite of the promise that the Minister made on 19 June — which was over three months ago — when she thought that the matter was urgent, it has dragged on and has still not been resolved. She cannot point the finger at the Committee for Education and the Assembly and ask what they have done.

We are not the employers. We are not even the paymasters. The Minister is the Minister — she is the one who is responsible. We have no role in the negotiations.

2.15 pm

That is one of the reasons why I do not accept the amendment tabled by the Member for East Belfast Dawn Purvis. It is not the job of this Assembly or of its individual Members to get involved in the minutiae of negotiations between employers and employees. To go down that route would drag us into almost every trade union dispute in the public sector, and perhaps even

the private sector as well. That is not our role. Our role is to ensure that, where an issue is important, the Minister gives it appropriate priority in her Department, in her dealings, and in her allocation of the finances that are available to her.

Clearly, this Minister has not done that. Since 19 June, on something that we were told was urgent, she has had two meetings, one with each side. She has clearly not given the matter any priority in her financial dealings. As far as I know, the £30 million that was available has not been upped. In the meantime — true to form, I am going to mention it — she has found plenty of money to hand out for her favourite project, the promotion of the Irish language. Mainstream education and the concerns of youngsters with special needs across Northern Ireland, and of those who deal with them, take second place in this Minister's priorities behind the promotion of her own political ideology and the things that she wants to promote.

That is why the motion is appropriate, and those who proposed it should not be ashamed of doing so. It is the job of this House to ensure that the Minister, who is responsible for the education budget and who can — and who promised to — intervene between the boards and the trade unions does so. She has not done that, and that is why the dispute has dragged on. The amendment tabled by my colleague from Lagan Valley Jeffrey Donaldson seeks to give some direction to the talks among the boards, the trade unions and the Minister. At the end of the day, I am not ashamed to say that I brought this issue up on a number of occasions before devolution in the House of Commons. Here in the Assembly, I have done what I can. Through the Education Committee, I have pushed the Minister. Let no one run away with the idea —

Mr B McCrea: Will the Member give way?

Mr S Wilson: I have only got —

Mr B McCrea: You will get an extra minute.

Mr S Wilson: Yes; I will give way.

Mr Deputy Speaker: Sorry, your time is up.

Ms Purvis: I have listened to all the contributions today, and one thing is clear: everyone cares about the classroom assistants, the valuable job that they do in the education system, and the care and attention that they lavish on our children.

I was very disappointed by some of the contributions, which amounted to point-scoring. I was somewhat disappointed by Mr Butler's claim that Members are coming to this matter late; that was disingenuous. My predecessor, David Ervine, stood on picket lines at Tor Bank School, and other Members, such as Mrs Iris Robinson, have campaigned for that school. Whether or not Members come to this issue late, they are still coming to it. That is a sign of the lobbying power of

the classroom assistants and the trade unions in recent months. Even if we come late, it is important that we come and lend our support. It was disingenuous of Mr Butler to say that.

I want to reflect on what Mr Shannon said. People do not take strike action lightly — they come to it as a last resort. Parents, classroom assistants and principals do not want a strike. I discussed classroom assistants with a principal last week, and she said that they cannot be blamed for wanting to strike. They are crucial to the system, but they are not valued accordingly. That is what the debate is about.

For obvious reasons, I cannot support the motion: it is too weak; it does not do anything; and it does not move the issue forward. That is why Sinn Féin supports the motion. During the debate in June, the Minister was asked to intervene. However, no progress has been made since then.

I cannot support the DUP amendment, because it does not do anything more to progress the issue. The four items that it lists have been discussed at length. They have been on the agenda at every negotiation that has taken place between management and trade unions, but we have not got anywhere. No one wants to strike; strike action is a last resort. The classroom assistants do not want to strike, but their hand has been forced. Some people really do not get it.

Mrs D Kelly: I have been trying to make an intervention; this is third time lucky for me.

None of us was comforted by the Minister's promise in her lecture to the House that she would instruct her officials to implement the grades that are currently on offer. Therefore, we are no further forward.

Ms Purvis: I thank the Member for her intervention. Really, the Minister has said that she will forge ahead anyway and introduce management's pay evaluation whether classroom assistants like it or not. That is not the way forward; it does not let people know that they and their contributions are valued. The matter will not be resolved until the Minister directs management to enter into negotiations with the trade unions to come up with an equitable, fair and just settlement and pay evaluation for classroom assistants, to use the Minister's own words and those of other Members here today. We need to get people talking, but we also need to get them negotiating a fair deal for classroom assistants.

Mr Deputy Speaker: Members will know that business must be suspended for Question Time, which begins at 2.30 pm. Therefore, this debate will resume at 4.10 pm.

The debate stood suspended.

2.30 pm

(Mr Speaker in the Chair)

ORAL ANSWERS TO QUESTIONS

Office of the First Minister and the Deputy First Minister

Lifetime Opportunities

1. **Mrs McGill** asked the Office of the First Minister and the Deputy First Minister to outline the status of ‘Lifetime Opportunities: Government’s Anti-Poverty and Social Inclusion Strategy for Northern Ireland’; and to give a timescale within which it will be presented to the Executive for consideration. (AQO 167/08)

The Deputy First Minister (Mr M McGuinness): Section 16 of the Northern Ireland (St Andrew’s Agreement) Act 2006 places a statutory obligation on the Executive Committee to adopt a strategy setting out how they propose to tackle poverty, social exclusion and patterns of deprivation based on objective need. The process to obtain Executive Committee agreement on an anti-poverty strategy has begun, and Ministers are examining the lifetime opportunities strategy and hope to bring a revised paper to the Executive later this year.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. Given that the eradication of poverty is a well-documented and agreed priority for Government, how will resources be earmarked and channelled proactively in pursuance of this priority?

The Deputy First Minister: The skewing of resources and efforts towards those in greatest objective need by Departments is seen as an effective way of ensuring that measures to combat poverty and social exclusion are implemented and, ultimately, mainstreamed within public expenditure, planning and resource allocations.

Mr Elliott: What measures has the Office of the First Minister and the Deputy First Minister put in place, through its challenge function, to ensure that all Departments allocate appropriate resources towards addressing rural poverty and disadvantage, particularly as those issues should be dealt with by all Departments, not just the Department of Agriculture and Rural Development?

The Deputy First Minister: Section 16 of the Northern Ireland (St Andrew’s Agreement) Act 2006 places a statutory obligation on the Executive to adopt a strategy on how the matter should be taken forward. While poverty and multiple-deprivation tend to be

concentrated in urban areas, rural communities are also at risk, with high levels of deprivation in less accessible rural areas. To that end, the Executive are committed to ensuring that the adopted strategy will address the poverty and social exclusion encountered in urban and rural areas.

The Department of Agriculture and Rural Development’s vision of a thriving and sustainable rural community and environment means that, effectively, it has engaged in many activities that will directly and indirectly tackle rural poverty.

As the Member is a farmer, he will be aware that agriculture continues to play an important economic role in the rural economy. The Department of Agriculture and Rural Development will strive to increase the economic sustainability of all farm businesses and will work in conjunction with other Departments towards the elimination of poverty in rural areas. The Department of Agriculture and Rural Development obtained EU approval for its 2007-2013 rural development programme on 24 July. That programme will put more than £500 million into rural areas over the next six years, with a focus on improving the competitiveness of the farming industry, the environment and the quality of life in rural areas.

Mrs D Kelly: Will the Deputy First Minister assure the House that the strategy will be supported by a dedicated budget? Will he give us an assessment of the North’s progress towards the targets contained in the lifetime opportunities document, which was released by the then Secretary of State in November 2006?

The Deputy First Minister: As the Member rightly said, ‘Lifetime Opportunities: Government’s Anti-Poverty and Social Inclusion Strategy for Northern Ireland’ was launched by the then Secretary of State, Peter Hain, in November 2006. The strategy replaced New TSN, which was the Government’s formal high-level policy for tackling poverty and social exclusion in the North. All those issues are under discussion.

The Executive, and the respective Ministers, are giving much consideration to those issues. The process to obtain the Executive Committee’s agreement on the strategy has begun; proposals are currently being cleared at an official level, with a view that the Executive Committee will consider all of them at a meeting in October. When the outcome of that becomes clear, I will be able to give more comprehensive answers.

Honours List: Local Alternative

2. **Mr Dallat** asked the Office of the First Minister and the Deputy First Minister to detail plans for a local alternative to the Honours List for recognising people who, at work or in a voluntary capacity, have made an

outstanding contribution to society in general, or individuals in particular. (AQO 144/08)

The Deputy First Minister: Honours are an excepted matter, and are not within the competence of the Assembly. The introduction of a local civic-award system, in addition to the honours process, is something that the Assembly may wish to consider further at a later date.

Mr Dallat: I thank the Deputy First Minister for his answer. If the Assembly does consider an alternative to the honours system, will it recognise people from the South who have made outstanding achievements in the North? Also, will it be transparent and accountable?

The Deputy First Minister: The honest answer is that it is too soon to tell. A local alternative to the honours system is not a high priority for the Assembly at present, given all the other pressing measures to be dealt with between now and Christmas — particularly budgetary considerations, investment strategies and the priorities that the Executive and the Assembly will want to concentrate on.

There has been widespread recognition by the Assembly of the achievements of cricketers; Gaelic footballers; the Derry camógs, who won the all-Ireland junior championship two weeks ago; Rory McIlroy, who performed well in the British Open golf championship, and Pádraig Harrington from the South, who won that same championship. All those types of achievement will be discussed in detail if the Assembly has a real debate on the issue.

Were we to reach a point of considering a local alternative to the honours system, it would have validity only if it ensured recognition of the unsung heroes of our process, governmental structures and system — such as teachers and nurses — who perhaps contribute in a more meaningful way than the stars of our society.

Mr Kennedy: Given that the existing honours list retains widespread support from all communities in Northern Ireland, and that the issue strikes at the heart of the debate over national sovereignty, will the Deputy First Minister clarify his view on the current political status of Northern Ireland in the United Kingdom? *[Laughter.]*

The Deputy First Minister: That is a cracker. The Member is to be admired for asking a question about the honours list, avoiding the issue and turning it into a wholly political question about the constitutional position of the North. The Good Friday Agreement and the St Andrews Agreement both exist, and many matters have been settled by debate, without prejudice to the political aspirations of any Member. Rather than become embroiled in a controversial debate with the Member, I will leave the matter at that.

Mr I McCrea: Can the Deputy First Minister confirm that awards are made by Her Majesty the Queen to people from all sectors in society? Can he also tell the House what percentage of those awards go to people in the community, voluntary and local-services sectors?

The Deputy First Minister: As I said in my previous answer, although awards are not in the competence of the Assembly, or indeed the Executive, they are made to all sectors of society, covering business, sport, arts, media, health, education, public service and the voluntary and community sectors.

Approximately 60% of awards here go to people in the community, voluntary and local-services sectors, and any member of the public may nominate someone for an award. Some 50% of awards are made to people who have been publicly nominated.

Rights of Older People

3. **Mr Brady** asked the Office of the First Minister and the Deputy First Minister how it will ensure that the rights of older people are effectively protected and promoted. (AQO 159/08)

The Deputy First Minister: The Office of the First Minister and the Deputy First Minister is fully committed to protecting and promoting the rights of all citizens — including older people. To that end, the Office of the First Minister and the Deputy First Minister introduced regulations last October, which prohibit discrimination in employment on grounds of age.

The Equality Commission has played a vital role in promoting awareness of the new legislation and has produced guidance designed to help employers and employees understand their rights and responsibilities. We are also examining whether the establishment of a dedicated commissioner post will add to protecting and promoting the rights of older people. Conclusions on that matter will be put to the Executive as soon as possible.

Mr Brady: I thank the Deputy First Minister for his answer. Go raibh maith agat. Will there be an independent element to the deliberations on the rights of older people?

The Deputy First Minister: An independent organisation, or individual, will be appointed to assist in the work, and Members will recognise that that is an important dimension as we move forward with what is, undoubtedly, an area of tremendous concern in the Assembly.

Mr Ross: The Deputy First Minister said that conclusions regarding the commissioner will be brought to the Executive in due course. When will proposals be brought to the Executive?

The Deputy First Minister: Our consideration will be completed by the end of the year, and a report will

be submitted to Ministers for consideration. A decision will be made by the Executive early in the new year.

Mrs M Bradley: Will the Deputy First Minister outline the distinctions between the Executive's approach to protecting the rights of older people and that of the previous direct rule Administration?

The Deputy First Minister: Recently, the First Minister and I have often gone on public record and criticised various aspects of direct rule and direct rule Ministers. There is no doubt that the Executive are determined to do things differently to ensure that we — as locally accountable Ministers and MLAs — are totally responsive to the needs of our older citizens. As we move forward with this process, we will be conscious of our responsibilities in this area and to the older generation.

Equality Impact Assessments

4. **Ms Anderson** asked the Office of the First Minister and the Deputy First Minister to outline its position in relation to equality impact assessments for all 'high-level' policies. (AQO 166/08)

The Deputy First Minister: Equality considerations must be mainstreamed into all decisions, including high-level or over-arching policies and strategies. As the Office of the First Minister and the Deputy First Minister is the Department with co-ordinating responsibility for equality, its policy is to subject all high-level policy emanating from Departments, in which equality issues have been identified via the screening stage, to a full equality impact assessment in line with section 75 responsibilities.

The Office of the First Minister and the Deputy First Minister continues to offer advice to Departments on all aspects of the implementation of section 75. Departments are responsible for ensuring that equality of opportunity has been properly mainstreamed and for providing such assurances to Ministers.

Ms Anderson: Go raibh maith agat, a Cheann Comhairle. Will the Office of the First Minister and the Deputy First Minister be developing a transparent process for equality impact assessments for high-level policies and strategies?

The Deputy First Minister: The Equality Commission will be working with officials in the Office of the First Minister and the Deputy First Minister and the other Departments in the coming months to develop an agreed approach — *[Interruption.]*

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

Mr Speaker: The Member should know that points of order are not taken during Question Time, but I will be happy to take points of order after Question Time.

The Deputy First Minister: I will start again. The Equality Commission will be working with officials in the Office of the First Minister and the Deputy First Minister and the other Departments in the coming months to develop an agreed process for equality-impact assessing all high-level policies and strategies.

2.45 pm

Mrs Long: Will the Minister outline the position of the Office of the First Minister and the Deputy First Minister on screening all policies for their impact on good relations, and will he also confirm that equality and the creation of a shared future do not threaten, but actually reinforce, each other?

The Deputy First Minister: Members can be assured that all such matters, including those raised by Naomi Long, will be subject to the agreed approaches and mechanisms. It is clear that the section 75 obligations are bearing down on all Departments.

Mr Donaldson: Surely, one of the high-level policies and priorities for the Office of the First Minister and the Deputy First Minister is adequate funding and support for the victims of violence in Northern Ireland. Will the Minister agree with me that the more equality impact assessments we have, the more resources have to be diverted to them? Would it not be better to give the money to those who deserve it — the innocent victims of terrorist violence in Northern Ireland, who have suffered for too long?

The Deputy First Minister: The First Minister and I have made it clear on countless occasions that victims are a top priority for the Executive. I do not know how it can be said that we are not diligent enough when we carry out equality impact assessments on a wide range of issues. Given the nature of our Government, the processes that all parties have signed up to, and the St Andrews Agreement, there is a responsibility on all of us in the way ahead to ensure fairness in Government.

North/South Ministerial Council: Secretariat Accommodation

5. **Mr McElduff** asked the Office of the First Minister and the Deputy First Minister what action is being taken to provide accommodation that is fit for purpose for the secretariat of the North/South Ministerial Council. (AQO 154/08)

The Deputy First Minister: A business case and economic appraisal that was completed in 2006 confirmed that the present North/South Ministerial Council joint-secretariat accommodation does not meet the operational requirements of the secretariat, and it recommended that suitable alternative accommodation in the Armagh area be identified. Earlier this year, expressions of interest were sought from those willing

to provide accommodation for the secretariat. Several tenders were received and have been evaluated. A full report will be provided to the Council later in the year, when it may be asked to approve the preferred bidder and agree that contractual arrangements should be made.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. The Deputy First Minister is aware that as well as tabling a question for oral answer a fortnight ago, I pressed him on the issue last week following his statement on the North/South Ministerial Council. Will the Deputy First Minister be more precise, if possible, about the timing for the completion of the project, because the North/South Ministerial Council's secretariat needs every encouragement and every facility to carry out its important work?

The Deputy First Minister: I agree that the Council's work is very important, and those of us who have visited its headquarters in Armagh over the past six or seven years are aware that it is based in totally unsuitable accommodation.

Later this year, the North/South Ministerial Council may be asked to approve the preferred bidder and agree that contractual agreements should be made. Following the award of a contract, construction and fitting out will take approximately two years with the aim of having accommodation late in 2009.

Mr Attwood: Does the Deputy First Minister agree that, although accommodation for the secretariat is very important, the substance of North/South co-operation is even more important? Can he now, unlike last week, tell the House who the two independent, external people to be appointed by the Executive as part of the efficiency review of the North/South implementation bodies will be? Does he know who the two individuals to be appointed by the Irish Government are? Will the Deputy First Minister give the House a cast-iron guarantee that this so-called efficiency review will complete its work within six months, as indicated last week in his statement to the House? Given the concern about whether the review will be completed within six months, is the Deputy First Minister not concerned that the review will slow down North/South co-operation and ultimately suffocate North/South developments on the island?

The Deputy First Minister: In my statement last week on the North/South Ministerial Council meeting in which we participated earlier this year in Armagh, I made it clear that the efficiency review was a work in progress. The First Minister and I — and the Executive — have not yet decided on the individuals who will take that matter forward. However, I expect that that will happen in due course.

Mr Attwood's question became a speech. He needs to recognise that other Members have tabled questions, and I am trying to get through as many as I can.

EU Regional Development Committee

6. **Mr McCartney** asked the Office of the First Minister and the Deputy First Minister to give an assessment of the recent meeting with the European Union Regional Development Committee; and the importance of ongoing contact with the European Union. (AQO 165/08)

The Deputy First Minister: I, along with the Minister of Finance and Personnel, and my Department's junior Ministers, were delighted to welcome such an influential European Parliament Committee to the House. That visit was another indication of the interest shown by the European institutions in our work to create a more peaceful and prosperous society.

The EU Regional Development Committee has played a significant role, and we have received substantial funds to build a better future for all. I thank that Committee and our MEPs for their past and continued support in securing structural funds for this region, particularly the Peace programmes and Europe's contribution to the International Fund for Ireland. The meeting was a good opportunity to tell the Committee that we intend to participate fully as an EU region, and that the funding available under our EU rural development programme for 2007-13 would contribute to the creation of a dynamic, enterprising and innovative economy here.

The work of the European Commission Task Force announced by President Barroso on 1 May 2007 is also important. That will help to redefine our relationship with Europe as funding levels to the more-established member states reduce following the enlargement of the European Union.

The First Minister and I welcome wider political involvement with Europe through the Barroso task force, and it will be important for the Executive to maintain its visibility in Brussels. To that end, we hope to undertake a joint visit to Brussels to meet with President Barroso and other influential figures later in the year.

Mr McCartney: Go raibh maith agat. Will the Deputy First Minister provide us with progress on the Barroso task force?

The Deputy First Minister: The task force comprises a team of senior officials from relevant EU Commission Directorates General and has met on four occasions to identify key representatives and to develop a work plan. The rural development programme has been finalised and the structural fund programme will be agreed by the end of September.

In July, I led a ministerial delegation comprising myself and junior Ministers Gerry Kelly and Ian Paisley Jnr to meet Mr Nicholas Van der Pas, Director

General for Employment and Social Affairs and Equal Opportunities in the European Commission. We discussed with him and his team the various policy strands relevant to the work of the task force. We also met Bobby McDonagh, head of the Irish permanent representation and Kim Darroch, head of the UK permanent representation, both of whom pledged their full and active support for the Barroso task force.

The Minister for Social Development, Margaret Ritchie, will be visiting Brussels in October in support of our participation in the European week of regions and cities open days, and she will also take the opportunity to meet with Danuta Hübner, Commissioner for Regional Policy. Commissioner Hübner and other members of the task force hope to visit us during the autumn. A progress report of the work plan will be prepared by the Commission towards the end of this year, and the Minister of Finance and Personnel will share that plan with his Executive colleagues in due course.

Lord Browne: In light of the task force announcement, what outcomes does the Deputy First Minister hope to achieve by the end of the year?

The Deputy First Minister: It is hard to say at this stage. However, we had a very constructive meeting with President Barroso when he came here. It was obvious that he was very anxious to help in whatever way he could.

At their meeting on 8 June, Commissioner for Regional Policy Danuta Hübner, the Minister of Finance Mr Robinson and the First Minister discussed the reasons for the task force's work. The main outcomes were that, by the end of the year, we hope to have completed a stocktaking study of the available EU initiatives; understand how those initiatives could meet key economic requirements; seek to finalise the rural development, fisheries and structural fund programmes; make arrangements to extend the exchange of officials programme; and initiate a programme of meetings with Commissioners and senior Commission officials in order to build relationships.

Mr A Maginness: I thank the Deputy First Minister for his reply. I note the good and important work of the task force and that the First Minister and the Deputy First Minister have shed their opposition to the European Union and are embracing it enthusiastically. I commend that.

Will they now consider working with the Republic's Government to get even greater funding for Northern Ireland? If united, the Government in the Republic of Ireland and the Executive will be able to achieve greater leverage, funding and support for Northern Ireland.

The Deputy First Minister: Obviously. The Assembly must have as much support and as many friends as possible. The First Minister has said that on

several occasions. President Barroso's visit to this Building occurred chiefly as a result of the Taoiseach's encouragement. To gain the greatest advantage for the people we represent, we must use all the resources and good will that are available to us. I have no doubt that the people we work with in the Irish Government will be our friends at court.

Children and Young People

7. Ms S Ramsey asked the Office of the First Minister and the Deputy First Minister to outline how the junior Ministers will address the issue of children and young people. (AQO 161/08)

The Deputy First Minister: The junior Ministers are assisting the First Minister and me to take forward our important commitments and priorities with regard to children and young people. They will have a key role in driving the 10-year strategy for children and young people and in setting in place the most appropriate arrangements for its delivery.

Along with the First Minister and me, the junior Ministers have already met with the Commissioner for Children and Young People and have begun a series of meetings with non-governmental organisations. A further schedule of visits, to take place in the autumn, is being arranged with organisations that work with children and young people. That will help to inform us of the key issues that face children and young people.

I also wish to place on record my thanks to Ms Ramsey and other representatives of the all-party group on children and young people for their positive contribution to this agenda. It is important that we find an appropriate way for that role and engagement to continue.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I thank the Deputy First Minister for his answer. I wish to place on record my thanks for his personal commitment to children and young people, ensuring that they remain centre stage, and also for the commitment of the Office of the First Minister and the Deputy First Minister and the junior Ministers.

Will the Deputy First Minister highlight the key priorities that will emerge from the Office of the First Minister and the Deputy First Minister?

The Deputy First Minister: Our key priorities are: eradicating poverty and closing the gap between those who do well in life and those who do not; safeguarding and protecting children and young people; developing their full potential; fulfilling our commitments under the United Nations Convention on the Rights of the Child; improving the health and well-being of children and young people; developing mechanisms to allow for meaningful participation of children and young

people; and providing future generations with a safe and pleasant environment in which to grow.

3.00 pm

Environment

Mr Speaker: As Mr Boylan is not in the Chamber, we will move on to question 2.

Giant's Causeway Visitors' Centre

2. **Mr McGlone** asked the Minister of the Environment what discussions she has had with her colleagues in the Executive concerning the proposed Giant's Causeway Visitors' Centre; and whether there are future plans to hold such discussions. (AQO 180/08)

The Minister of the Environment (Mrs Foster): As I informed the Environment Committee last Thursday, I have had two meetings with Minister Dodds, at which proposals for new visitor facilities at the Giant's Causeway were discussed. There are no immediate plans for further discussions. I have not yet brought the only planning application before me — from Seaport Investments Ltd — formally to the attention of the Executive Committee, because I have not yet finalised my decision on the application.

I have indicated that I see considerable merit in the application before me, and I am minded to approve it. However, I have asked officials to do further work on issues relating to the proposal, which will involve discussions with the applicant and with the key stakeholders, namely Moyle District Council and the National Trust.

I hope that my announcement will facilitate a mature debate between the interested parties and that the outcome will be a visitors' centre that we can all be proud of. When I make my final decision, I will bring it to the attention of the Assembly.

Mr McGlone: Just for the public record, has the junior Minister Mr Paisley Jnr, or his office or advisers, discussed the matter with your Department?

Mrs Foster: I am happy to answer that question from the Chairman of the Environment Committee. As he knows, I said clearly at last Thursday's Committee meeting that I have had absolutely no representation from the junior Minister, or anybody else, for or against the application. I am happy to put that on the record.

Mr Neeson: Given the strong objections that have already emerged from Moyle and Coleraine councils, the National Trust and other stakeholders, and bearing in mind the political sensitivities in the Chamber, there is a chance that the application might go to the

Planning Appeals Commission. If that happens, will the Minister abide by the commission's decision?

Mrs Foster: First, I have heard a lot of discussion about what I, as the Minister responsible for planning, should or should not take into consideration in my determination of the matter. Many of the matters that have been mentioned are absolutely not matters that I should take into consideration when determining a planning application. I want to make that very clear. I am very clear about my ministerial role in planning.

Mr Storey: As there have been many reports in the local press over the last few weeks, will the Minister clarify why she said that she was minded to approve the proposal?

Mrs Foster: I said that I was minded to approve the application because I see considerable merit in it. It is the only application before me. The proposal, which is still at outline stage, attempts to minimise the visual intrusiveness of the proposed centre by covering roofs and exposed surfaces with grass and locating part of the car park underground. It has an imaginative design, which provides for extensive facilities, including an auditorium, cafe and library, and it attempts to resolve the access issues with new road arrangements.

That said, I have not made a firm decision, because aspects of the proposals must be given further consideration, including the impact on the world heritage site and the centre's relationship to other development in the area and to the existing visitors' centre. Those are proper planning matters that I have to deal with, and they will be taken into account when I reach my final decision.

Road Safety Strategy

3. **Mr Hamilton** asked the Minister of the Environment to give an assessment of the Northern Ireland Audit Office's report on Northern Ireland's Road Safety Strategy. (AQO 156/08)

Mrs Foster: I welcome the report and I am pleased that it acknowledges the significant progress made to date. There is always more that could be done, and I am pleased that the report has identified some important issues for further consideration. The report was considered by the Public Accounts Committee on 13 September 2007, and, following the Committee's report, the Department of the Environment and the Department of Finance and Personnel will prepare a response that will be provided to the Assembly. It would be inappropriate for me to comment further until the response has been made available.

Mr Hamilton: I thank the Minister for her reply on what is an important issue. We were reminded of such tragedies overnight, with a fatal road accident on the

Ballygowan Road outside Comber, in my own Strangford constituency.

Members welcomed the fact that the Minister made road safety one of her top priorities when she first entered office. Will she provide an update on the progress of the review of road safety strategy that she initiated?

Mrs Foster: I offer my condolences in respect of the latest tragedy on our roads just last night. There have been 79 deaths on our roads to date; which compares favourably with last year, when there had been 89 deaths on our roads at this stage. However, that does not take away from the human tragedy involved in any individual road death.

My officials have commenced a full review of the road safety strategy, and a number of my staff have been committed to the review on a full-time basis. Significant progress has been made, but much more can be done.

An initial meeting has taken place with counterparts in the Department for Regional Development and the Police Service of Northern Ireland to discuss the way forward. Unfortunately, it is too early to indicate when the review will be completed. However, the Department continues to make this a priority, and that is reflected in all of my public announcements.

Mr Speaker: I call Mr John Dallat for a supplementary question.

Mr Dallat: Mr Speaker, I do not have a supplementary question.

Listed Buildings

4. **Mr A Maskey** asked the Minister of the Environment to detail the number of listed buildings that have been destroyed in the past five years; and what penalties and prosecutions have resulted in relation to these offences. (AQO 172/08)

Mrs Foster: Over the past five years, 12 listed buildings have been destroyed without the appropriate listed building consent. In three cases no action was taken as the buildings were destroyed accidentally by fire. In another three cases no action was taken as the developer produced police reports to confirm that the buildings were in a dangerous condition. Those buildings were demolished and subsequently de-listed. In one instance a building was lost as a result of the roof falling in, and prosecution was not pursued. In another instance a developer was prosecuted for the demolition of two listed buildings in Portstewart and was fined the princely sum of £250 for each building. There is ongoing enforcement action in respect of the remaining three cases, one of which has been scheduled for a court hearing in November.

Mr A Maskey: Go raibh maith agat. I thank the Minister for her response. I know that she has taken an interest in this issue in the past. Will she acknowledge that the demolition of buildings without the appropriate listed building consent is an ongoing problem — certainly in my constituency of South Belfast — and that there have been quite a number of cases in which the Planning Service has given approval for the demolition of listed buildings? Will she also ensure that more stringent measures are included in any future planning legislation proposals to deal with listed buildings and provide enforcement measures in the event of such buildings being demolished without the appropriate permission?

Mrs Foster: The Member is aware that I know of the difficulties in his constituency, especially in relation to the Malone conservation area. There have also been problems in North Belfast — one of the Members for North Belfast, I think it was Mr Maginness, raised an issue in relation to the Cavehill Road during my previous Question Time.

Changes to the legislation were made in 2003 and 2006, which brought enforcement powers in Northern Ireland planning law largely into line with those in Great Britain. The changes included increasing the level of fines for offences, and the possibility of imprisonment. The legislation exists: the issue is whether the judiciary will follow through as regards the level of fines — unfortunately I have no control over that matter.

Mr Elliott: Assuming the Minister's distaste at the possibility of a shrine at the Maze/Long Kesh site, does she have any plans to de-list the buildings on that site that are currently listed?

Mrs Foster: I thank the Member for his question. He, and several members of his party, wrote to me in relation to that matter. I will be responding in due course, and the responses will be with them in the near future.

Mr Spratt: The Minister is aware that, in some areas of Northern Ireland, traditional residential areas are being destroyed by apartment development. My South Belfast constituency has suffered probably more than others. Does the Minister agree that the spread of apartment development threatens the character of some traditional residential areas?

Mrs Foster: I am aware of increasing public concern about apartment development and its effect on the character of long-established residential areas arising from policies in the regional development strategy and the Department for Regional Development's policy for housing and settlements.

The demand for apartment living reflects ongoing changes in society, including the trend towards smaller households. As the Department that is responsible for planning, my Department must cater for that trend. My

Department has published Planning Policy Statement 7 and Development Control Advice Note 8 to assist in controlling that type of development.

I am not sure whether the Member is aware that, on my instruction, the Planning Service recently issued a circular to all its professional planners in order to raise their awareness of the issue and particularly that of the cumulative impact of apartment developments. My officials are also liaising with Department for Regional Development officials about the build-up of developments in existing residential areas.

Carbon Emissions

5. **Mr Ford** asked the Minister of the Environment what is her assessment of the need to reduce carbon emissions in Northern Ireland, given the announcement by her Scottish colleagues on the need for an 80% reduction in carbon emissions by 2050. (AQO 183/08)

Mrs Foster: Although Northern Ireland's emissions are minute in global terms, it is important that we play our part in reducing them. That is why I sought, and received, agreement at last week's Executive Committee meeting for the provisions of the United Kingdom Climate Change (Effects) Bill to be extended to Northern Ireland. That Bill provides for an overall United Kingdom emissions reduction target of at least 60% by 2050.

I am aware that, in addition to opting into the UK Bill, the Scottish Executive intend to produce a separate climate change Bill that has a higher reduction target of 80%. There is no simple relationship between long-term stabilisation and the pathways that are required to reach that point. The UK target of at least 60% reduction in carbon dioxide emissions is consistent with that approach. However, it is recognised that there is a need to keep targets under review in the light of emerging scientific evidence and other developments. The Climate Change (Effects) Bill will provide for that.

Mr Ford: I thank the Minister for her reply, although it is a little disappointing. Given the growing body of opinion that states that the UK needs to reduce carbon emissions by at least 80% by 2050 and the fact that Northern Ireland, along with Scotland, has huge potential to generate power from wind, waves and biomass, is it not time that she ensured that Northern Ireland took a lead in the battle against climate change and ceased to be a reluctant conscript?

Mrs Foster: I do not accept that Northern Ireland is a reluctant conscript; the opposite is the case. The 60% target was recommended by the independent Royal Commission on Environmental Pollution and cited in the 2003 White Paper on energy. There has been considerable stakeholder consensus that that figure represents an ambitious commitment for the UK; however, there is no similar consensus on any other figure.

In evidence to the joint committee that scrutinised the Bill in May, Professor Sir David King, the Government's scientific adviser, recognised that 60% is the correct target at this stage. I want the Member to reflect on that. Two weeks ago I had the opportunity to speak with Jonathon Porritt, the chairman of the Sustainable Development Commission. I asked him about the 60% target, because I knew it to be an issue for some here. Mr Porritt is of the opinion that 60% is the correct target at this point; however, he said that it should be left to the Committee on Climate Change to revisit targets. Revisiting targets is built into the Bill, which states that the target is at least 60%. However, the Committee on Climate Change could raise that target if the need arises.

Mr P Ramsey: Will the Minister tell us what cross-departmental meetings have taken place on the reduction of carbon emissions and what action has been taken as a result?

Mrs Foster: The Member knows that sustainable development lies in the remit of OFMDFM, which is taking the lead on the matter. It will also lead on reducing carbon emissions across the Government estate.

My own Department is leading the way, and I hope that it will be carbon-neutral by 2010. I also hope that other Departments follow its example.

Mr Ross: Will the Minister advise Members how Scotland arrived at the proposal of a reduction of 80% for carbon emissions? Is there any merit in having specific reductions for Northern Ireland in the proposed climate change Bill?

Mrs Foster: Hopefully, I have partly answered that when replying to Mr Ford's supplementary question. Targets have no value unless they are realistic and achievable. Scotland has agreed to the target of 60% set by the UK climate change Bill. The Scots feel that they can go further and aim for a target of 80% in the Scottish climate change Bill. The reason that Scotland, above other UK Administrations, can do that is that there is a better provision of natural resources, as well as carbon-dioxide-absorbing forests and heathlands, and an abundant water supply for the production of hydroelectricity.

3.15 pm

The Scottish Administration believes that a higher domestic target is achievable. The target in the UK climate change Bill is 60%, but that may not be the ultimate target, and if the Joint Committee on Draft Climate Change Bill decides that the target should be raised, then the Northern Ireland Administration will take advice on that matter.

Built Heritage

6. **Mr T Clarke** asked the Minister of the Environment what steps she is taking to support built heritage in Northern Ireland. (AQO 191/08)

Mrs Foster: I am determined to protect and promote the built heritage. Raising awareness, managing state-care monuments, saving buildings at risk and paying grants to owners of listed buildings are all important.

Recently, I launched the tenth anniversary of the increasingly popular European heritage open day, an event designed to promote our rich built heritage. The Proms in the Park event at Carrickfergus Castle highlighted Northern Ireland's important heritage to a wider audience. I have launched a conservation plan for Derry's walls. That initiative will strengthen the exemplary way that we seek to maintain the monument, and its guardianship, and indicates how the Department of the Environment intends to manage the other 183 monuments in state care.

The Environment and Heritage Service (EHS) has a database — Register of Buildings at Risk in Northern Ireland — the aim of which is to save 200 buildings by 2016. Last year, 32 buildings were removed from the register, including buildings such as Brownlow House in Lurgan, and the Irish Society's Primary School in Coleraine.

The Department of the Environment, through EHS, offers grant aid to owners of listed buildings. The budget is £2.2 million, and we are reviewing that policy and hope to make funding more widely available. That includes the proposal for a new funding stream that will specifically target building preservation trusts. The proposals are subject to scrutiny by the Department of Finance and Personnel and to the views of the Committee for the Environment. In addition, during the last 12 months, 88 buildings have been added to the list of buildings of special architectural and historical interest.

Finally, since I took office, two preservation notices have been issued, and two others confirmed. That process is sometimes known as spot-listing and enables potentially list-worthy buildings to be protected from alteration or demolition for up to six months, to allow time for detailed research before a final decision is taken on whether to list them.

Mr T Clarke: Will the Department of the Environment continue to delist buildings as part of the second survey of historic buildings?

Mrs Foster: The short answer is yes. To be listed, buildings must pass the statutory test as set down in legislation — that is, they must be of special historical or architectural interest. Those buildings that no longer meet the legislative requirements must be delisted. However, as I have already said, over the last 12

months 88 buildings have been added to the list, and only 10 have been removed. Many buildings have been added to the list as a result of the second survey of historic buildings. Industrial buildings, vernacular houses and other structures such as pumps, which were less valued in the first survey conducted during the 1970s, are now better represented on the list.

Waste Processing

7. **Mr Molloy** asked the Minister of the Environment what progress is being made in relation to the integration of the process for dealing with farm waste and municipal waste. (AQO 192/08)

Mrs Foster: The Northern Ireland waste management strategy is for all controlled waste, and, together with the Department of the Environment's guidance on the best practical environmental options for Northern Ireland, forms a robust framework from which the three district council waste partnerships have developed waste management plans.

Those plans specifically provide for the management of all waste streams, whether municipal, commercial or farm waste. The waste strategy notes the value of exploiting any opportunities for the sharing of facilities to deal with both farm and municipal waste. The waste management groups will consider possible synergies when they procure facilities or services in relation to all controlled waste in their area.

Mr Molloy: Does the Minister agree that with the correct safeguards in place, an energy fuel could be produced, either from gasification or solid fuel, to help to deal with the wastes by bringing them together, while benefiting the community?

Mrs Foster: I am aware of the Member's involvement with one of the waste management bodies, the Southern Waste Management Partnership, and with its proposals on those issues. In the first instance, the selection of appropriate technology on waste streams is a matter for the waste-management groups, which have come forward with particular plans for dealing with that. It is then a matter for the market, on a competitive basis, to determine a package of facilities that will provide the waste-management groups with an affordable solution. It is unlikely that a best-value solution will be able to depend on a single waste stream; therefore, agricultural, commercial and industrial wastes are likely to be treated along with municipal waste.

Mr Irwin: Can the Minister tell the House whether district councils accept and collect agricultural waste in the same way that they collect municipal waste?

Mrs Foster: Yes, they do. Agricultural waste falls under the classification of industrial waste in Northern Ireland. The Waste and Contaminated Land (Northern

Ireland) Order 1997 allows district councils, if requested, to collect commercial and industrial waste on payment of charges. Civic amenity sites may also accept agricultural waste, and may charge for doing so.

Mr P J Bradley: I almost got the answer to my question in the Minister's last response. However, is the Minister satisfied that all local authorities act according to the same criteria when collecting waste or having waste disposed of at landfill sites? I refer to the materials that they are allowed to dump and the charges that they can make.

Mrs Foster: All local authorities must comply with the requirements of The Waste Management Regulations (Northern Ireland) 2006 when dealing with agricultural waste that they have been requested to collect for treatment or disposal. However, if the Member is aware of any local government organisation that does not comply with those regulations, I am willing to talk to him about that.

Mr Speaker: Question 8 has been withdrawn.

Recycling Levels

9. **Mr P Maskey** asked the Minister of the Environment to detail the quantity of glass, paper and card, and plastics that have been recycled in each of the past two years. (AQO 169/08)

Mrs Foster: At present, the Department has no statutory obligation to collect figures. However, I receive returns from district councils on that matter. During 2004-05, the quantities of those materials that were recycled were as follows: glass, 10,258 tonnes; paper and card, 23,906 tonnes, and plastic, 1,712 tonnes. In 2005-06, those quantities increased to the following: glass, 13,107 tonnes; paper and card, 65,568 tonnes, and plastic, 7,666 tonnes. I am delighted to note the significant increase in the amounts that were recycled in 2005-06 compared with the previous year. That reflects well on the commitment of councils, the private and voluntary sectors and individual householders to increase the amount of waste that is recycled and thereby reduce the amount that goes to landfill.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. What efforts will the Minister make to enhance those figures and ensure long-term sustainability?

Mrs Foster: I am sure that the Member is aware of the Northern Ireland waste management strategy, which contains the following recycling targets: 60% of commercial and industrial waste to be recycled by 2020; 75% of construction, demolition and excavation waste to be recycled or reused by 2020; recycling and composting of household waste should be at 35% by 2010; 40% by 2015 and 45% by 2020. It is necessary

to maximise recycling and composting practice in order to reduce the amount of waste that is sent to landfill and, with regard to biodegradable municipal waste, also to meet the challenging landfill directive targets.

Mr Newton: The Minister has provided impressive figures, which the House and the district councils will welcome. However, can the Minister tell the House how those figures will be monitored on a daily, weekly and monthly basis, so that the Assembly is confident that those targets are being achieved?

Mrs Foster: As I have already indicated, the Department does not have a statutory obligation to collect those figures. However, that may change in the future. The district councils submit their recycling data via the waste data flow database system on a quarterly basis, two months after the end of each quarter.

The data are collected from bring sites, civic amenity sites and kerbside collections. Information is gathered on 30 waste streams. The Environment and Heritage Service audits and validates the data through visits to district councils, 13 of which, to date, have been carried out this year.

Mr Speaker: Question 10 has been withdrawn.

Planning Policy Statement 14 (PPS 14)

11. **Mr McElduff** asked the Minister of the Environment if she will make a statement on planning applications refused under Planning Policy Statement 14: Sustainable Development in the Countryside. (AQO 148/08)

18. **Mr Gardiner** asked the Minister of the Environment what discussions she has had with the Minister for Regional Development regarding the establishment of new rural planning guidelines, in the light of Mr Justice Gillen's ruling on Planning Policy Statement 14: Sustainable Development in the Countryside. (AQO 150/08)

Mrs Foster: Mr Speaker, with your permission, I shall answer question 11 and question 18, which is Mr Gardiner's question, together.

Although the High Court has decided that the Department for Regional Development does not have the power to prepare it to draft PPS 14, the planning policy statement has not been formally quashed. A remedies hearing will take place on 27 September 2007. The Planning Service currently holds all planning applications that fall to be determined under PPS 14. The implications for applications that have been refused, wholly or partly on the basis of PPS 14, will be considered in the light of the final court judgement. There are about 600 such cases.

I will now answer Mr Gardner's question. In light of the High Court's recent judgment on the judicial

review of PPS 14, I met Conor Murphy, the Minister for Regional Development, on 10 September 2007 to discuss the way forward. It was agreed that we would seek to place further evidence in front of the court on the issue of remedies. That matter was heard before Mr Justice Gillen on Friday 14 September 2007, when the Department for Regional Development was afforded a further week in which to submit additional evidence. As I have already stated, a further hearing on the issue of remedies is scheduled for 27 September 2007.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Does the Minister accept that PPS 14, which is effectively a blanket ban on building in the countryside, has proven to be totally disastrous for the entire rural community? Does she also accept that refusals that were issued after 16 March 2006, on the basis of PPS 14 criteria, are now unlawful and invalid? How are those applications to be reviewed, and does PPS 14 still pertain?

Mrs Foster: I thought that I had made it clear — perhaps I did not — in my answer to the Member that applications that came before the Planning Service to be determined between March 2006 and the present still stand. At present, that is our legal advice, and I have no reason to demur. I am sure that the Member has read the judgement from Mr Justice Gillen in full. It is interesting that Mr Justice Gillen made no comment on the content of PPS 14. The crux of the judgement related to which Department made PPS 14, not to the content of the policy.

Mr Gardiner: I thank the Minister for her response. Does the Minister accept that considerations of sustainability, rural economy, family cohesion, social need, affordability and landscape compatibility should all be good reasons, either separately or in various combinations, for permitting development in the countryside, and that that rationale approach would be preferable to the mindless activity of PPS 14 and the chaos that has followed its demise?

Mrs Foster: I am sure that the Member is aware that a ministerial subgroup was set up to deal with the whole issue of PPS 14. Before the new devolved Administration took power on 8 May 2007, there had been a number of discussions in the House on what should be in a new PPS 14, both in the Committee on the Programme for Government and in the House. All those matters will be taken into consideration when the ministerial subgroup convenes. We have not proceeded with a ministerial subgroup meeting, but work has been done in the background with which we shall not proceed until the outcome of the appeal on Thursday 27 September 2007.

Mr Wells: I am sure that the Minister is aware that if the courts finally quash PPS 14, that will put enormous strains on the Planning Service. Is the Minister minded

to put in place contingency plans, ready to be used, should that eventually happen?

Mrs Foster: Yes, I am minded to do so. Thank you very much for that wording, Mr Wells. Enormous strain will be placed on the operational side of Planning Service, as and when that decision is made.

Approximately 4,500 PPS 14 applications were received after 16 March 2006, up to early September 2007 —

Mr Speaker: I must interrupt the Minister as Question Time is now over for her.

3.30 pm

Finance and Personnel

Local and Regional Rates

1. **Mr K Robinson** asked the Minister of Finance and Personnel to detail the total amount raised in local and regional rates, both household and industrial, by (a) council area; and (b) parliamentary constituency, in the past five years; and to detail the amount of rebate paid out on the same basis. (AQO 151/08)

The Minister of Finance and Personnel (Mr P Robinson): I would have been happy to spend the next 30 minutes answering this question, but instead I placed tables in the Library showing the detailed information requested. The Land and Property Services Agency does not hold these figures by parliamentary constituency, so I provided the information on the basis of council area.

The Member for East Antrim asked for figures for household and industrial rates. We have taken that to mean domestic and non-domestic rates, as the category of industrial rates is only a small percentage of all non-domestic properties, and figures are not readily available for that subset.

The Member will be interested to note the following from the figures for 2006-07: in the Carrickfergus Borough council area, £7.7 million was raised in local rates, and some £10 million in regional rates. Over £1 million was refunded by way of rate rebate. In the Larne Borough Council area, £7.4 million was raised in local rates, and some £9.2 million in regional rates, with some £1.2 million being refunded by way of rate rebate. In Newtownabbey Borough Council area, in the other part of his constituency, £18.7 million was raised in local rates, and some £24.6 million in regional rates. Some £2.6 million was refunded by way of rate rebate.

Mr K Robinson: I thank the Minister for his full reply, and I look forward to reading the documents that he placed in the Library. Does the Minister agree that a significant proportion of the regional rates for a local government area should be spent in that area, as local

rates currently are? Will he indicate what he considers to be a reasonable proportion?

Mr P Robinson: The regional rate is not a hypotheated rate. I can understand, arising out of contributions by his friend in the Workplace 2010 debate, the concern that is being expressed, particularly by those in East Antrim. Off the top of my head this morning, I said that my understanding was that Larne, which is in the East Antrim constituency, came out lowest in the indices for public-sector jobs. I checked those figures — I was right, as usual. *[Laughter.]*

The figures for public-sector jobs per 100 economically active people ranged from Larne at 10·4 to Belfast at 53·2. Again, the figures that were originally given show that the Belfast travel-to-work area had 28·1 public-sector jobs per 100 economically active people. It disguises the fact that the whole of East Antrim is at 10·1, Ards is at 11·1, Newtownabbey is at 13·1 and North Down is at 13·6. The low level in those areas — not surprisingly — means that Belfast is at 53·2. Again, the disparity is evident, particularly in the outlying areas of the Belfast travel-to-work area, which makes more complex the kind of decisions that we have to take with regard to job dispersal.

Mr O'Loan: How much of the domestic rate currently goes towards paying for water? If the Minister does not have that information at this point, can he confirm that he will bring that information to the Assembly and say when he will do so?

Mr P Robinson: Again, people are testing me — I am giving these figures off the top of my head. The answer at the moment is, of course, none — because at the time of the last Executive, his colleague Mark Durkan decided to break the link between water and the regional rate. I believe that the present-day equivalent of the figure at that time would be, on average, about £160.

Mr Hamilton: Can the Minister set out the percentage increase in the domestic regional rate over that period, the reasons for that increase, and whether he believes that such increases are sustainable.

Mr P Robinson: My colleagues are supposed to ask me easy questions, not hard ones. The percentage increases to which the Members referred occurred over a five-year period. For the past three years I calculate a 37% increase, which is a sizeable figure. Over five years the increase is approximately 60%, largely brought about by the negotiations of those involved in the Belfast Agreement with the reinvestment and reform initiative, which tied rate increases in Northern Ireland to the level of increases in Great Britain. That made for substantial increases; thankfully, we managed to break that link during the St Andrews Agreement negotiations, and are, therefore, no longer tied to the

increases in Great Britain. The Executive can now make more reasonable decisions on rates.

Lifetime Opportunities

2. **Mr Ford** asked the Minister of Finance and Personnel to detail the resources he has allocated to tackle rural poverty across Northern Ireland, and to meet the targets set out in 'Lifetime Opportunities: Government's Anti-Poverty and Social Inclusion Strategy', given the ongoing comprehensive spending review. (AQO 184/08)

Mr P Robinson: The UK comprehensive spending review is due to conclude in October, and will have important implications for us in determining the share of UK public expenditure to be allocated over the next three years to the Executive and Assembly for those public services for which we are responsible.

I have not yet made any resource allocations for consideration by the Executive. Draft spending proposals put forward by Departments as part of the 2007 Budget process were informed by a broad range of issues, including the need to address social exclusion and poverty. I held bilateral meetings with Ministers last week in order to develop a Budget position. That will provide me with a basis to produce spending proposals for individual Departments for discussion and agreement at a subsequent Executive meeting.

Mr Ford: I thank the Minister for his response, although I had hoped for a little more detail. Given that many groups that tackle rural poverty depend on EU peace funding for some of their core activities, does the Minister have any plans to assist those groups in dealing with the reduction in funding from that source?

Mr P Robinson: It is worrying that there are a number of difficulties. Money from Europe will be about half of what it has been in previous years, and the future of a number of worthy projects will have to be considered. However, they must be considered by the Departments taking the respective lead responsibilities; they rank the priority of those projects as against departmental commitments, and I, in turn, when examining spending allocations, take account of all of the competitive pressures across all Departments. That is a matter that will be informed both by the Programme for Government and the amounts available to us through the three-year comprehensive spending review period.

The Member heard the Deputy First Minister state his and the First Minister's priority. Poverty must be addressed, and rural poverty is just as real as urban poverty. If we are to mean anything when we say that we want devolution to work, we have to make it work for people in that position.

Mr Storey: Will the Minister set out the total Northern Ireland resource element of the departmental expenditure limit for 2006-07, compared to 1998-99, in real terms? What does the Minister expect the increase to be over the comprehensive spending review period, and how does he expect the Departments to address their priorities in that period?

Mr P Robinson: There has been a massive increase in public spending in Northern Ireland over those years, and, although we expect to be operating within a tight fiscal framework, we are still talking about economic growth; that is, economic growth upon what has been substantial economic growth up until now.

In the period to which the Member refers, the increase has been around 24%. Therefore, much more money is available to us today than there was in years past, and there has been, year-on-year, around 1% real growth over the period of the comprehensive spending review. We are still talking about more being available, but with a new Assembly and a new Executive in place, there is an ambitious programme, which can only be curtailed by the amount of spending available to us.

Mr P J Bradley: I was not in the Chamber earlier when the ministerial statement was made, so my question may have been asked already. Does the Minister agree that rural areas must be included in any future decentralisation programmes?

Mr P Robinson: I assume that the Member is referring to the decentralisation of public-sector jobs, particularly in the Northern Ireland Civil Service. Earlier, I said that the Executive has agreed a review of public-sector jobs, and I will be bringing the terms of reference to the Committee for Finance and Personnel and to the Executive so that we can have a robust policy to ensure that there is a fair spread, taking into account all of the factors, not least of which is the importance of Belfast as our capital city. However, the need to have a fair distribution around the country was also mentioned earlier and, as he was not present, I can tell the Member that a series of bids was made during the course of the morning, stretching from Larne through to Enniskillen and Omagh.

Review of Rating

3. **Mr Weir** asked the Minister of Finance and Personnel to give a timescale within which he intends to bring proposals to the Executive in relation to the review of rating. (AQO 137/08)

Mr P Robinson: The public consultation finished on 31 August, and the consultation report will be published shortly. That report will be sent to the DFP Committee for it to scrutinise and, if it wishes, to take further evidence. Following that, I will bring proposals to the Executive. I hope that that will take place in

early November to allow changes to be made for next April's rates bills. More fundamental changes cannot be implemented as easily because that would require primary legislation. In that context, it will take longer to develop firm proposals. The Executive and the Assembly will wish to examine any long-term options for change in more detail. Therefore, it may be that all we can decide on this year is a shortlist of realistic, long-term options for future and further consideration.

Mr Weir: The Minister recently indicated that he was considering increasing the savings limit for pensioners beyond which they are not entitled to certain benefits. Can the Minister give more detail about that, and could such a proposal be in place by next April?

Mr P Robinson: The answer to the latter part of the question is yes. Those types of changes can be made within the existing legislative framework. I do not wish to indicate what I believe the outcome of the review of rating should be; I think that it is important that the Committee for Finance and Personnel have the opportunity to examine the responses that the Department has received from consultation and give its considered opinion. I want to be able to take the Committee's opinion into account, as well as the responses from the consultation, but I can tell the Member, as I said to a rating conference last week, that the type of proposal that he has mentioned has attractions and I am sure that the Executive will want to consider that carefully.

Mr Burns: Will the Minister confirm that the ability to pay will be a factor in any new rating scheme?

Mr P Robinson: I can confirm that. There are always difficulties with what might be regarded as a property tax, and the issue that is most at stake is that of the ability to pay. In the initial phase of the Department's consideration, we can only consider ability to pay in the context of the existing legislation. That means that we have to consider the types of reliefs that are available and also issues such as how they affect senior citizens, vacant properties and the issue of the capping of rates. The ability-to-pay issue is at the heart of the matter, but it is not easy to fashion that within a capital-based rates system.

Mr McClarty: Does the Minister acknowledge that increasing industrial rates from the present 30% would have a significant detrimental impact on job opportunities, not only in my constituency of East Londonderry, but in the Minister's constituency of East Belfast? Is the Minister aware that Northern Ireland manufacturers already experience the disadvantages of additional gas, electricity and transport costs?

3.45 pm

Furthermore, is he also aware that several manufacturers have indicated that such an increase would result in the reduction of research and development

budgets and medium-term investment, thus leading to significant job losses in the private sector that will be difficult to replace?

Mr P Robinson: The Member will be aware that the Economic Research Institute of Northern Ireland is carrying out work for the Department on that issue and, therefore, I should mark time until I receive its report. However, I was sufficiently indiscreet at a recent Confederation of British Industry conference to indicate that if the focus and centrepiece of Government policy is economic growth, it would be inconsistent to make life more difficult for businesses. The Member can extrapolate my view on the subject from that.

Childcare Voucher Scheme

4. **Mr McFarland** asked the Minister of Finance and Personnel to advise on the estimated savings which could result to the Northern Ireland Civil Service through the implementation of a childcare voucher scheme, such as that provided by Employers for Childcare.

(AQO 210/08)

Mr P Robinson: The Northern Ireland Civil Service is committed to introducing a salary-sacrifice childcare voucher scheme when the new electronic human resource (e-HR) payroll system is introduced in 2008. Savings to the Northern Ireland Civil Service will result from a reduction in employer's National Insurance contributions in proportion to the salary that staff will be sacrificing in return for childcare vouchers.

It is difficult to estimate how much will be saved as it will depend entirely on the number of staff who join the scheme and the value of the childcare vouchers they choose to take. However, projections based on a 3% uptake by civil servants estimate the total annual savings to be about £78,000.

Mr McFarland: I thank the Minister for his answer. Does he acknowledge that the childcare voucher system results in savings for employers and employees? Will he tell me why it has taken so long for the Civil Service to offer tax advantages that employees in progressive companies, such as Bombardier Shorts, currently enjoy? For the benefit of Northern Ireland employers and employees, will he encourage his Executive colleagues to promote childcare voucher systems in their Departments where appropriate?

Mr P Robinson: I accept that the scheme has great advantages. Incidentally, my Department will be introducing the scheme throughout the Civil Service, and therefore all of my colleagues' Departments will be included. There have been difficulties in introducing the scheme, not because of lack of enthusiasm but due to a lack of manpower.

To introduce the scheme, the manual input of computer programmes is required. The programmes are adequate for the scheme, but staff pay rises, and so forth, were being implemented at the same time, and given the choices that the Department had to make, the introduction of the childcare voucher scheme had to be postponed. However, it is only delayed, not cancelled. The Department intends to proceed with the scheme, which will be of value.

Mrs M Bradley: Will the Minister update the House on any interdepartmental work that has been carried out to deliver an affordable childcare policy?

Mr P Robinson: Childcare policy is my responsibility insofar as it applies to the Civil Service. The scheme, as the Member for North Down Mr McFarland indicated, benefits individual employees and employers. The Civil Service will want to take up the scheme and the workforce in all Departments will benefit from that.

Mr Donaldson: As the Minister knows, I have corresponded with him on the issue and, therefore, I understand the reasons for the delay in implementing the scheme. However, will he confirm his support for the principles behind the childcare voucher scheme, and will compensation be made available to staff and the company involved for the delay in implementation?

Mr P Robinson: The Member is never slow at coming forward on such issues. I support the scheme absolutely and I want it to be up and running as quickly as possible. As there is no statutory requirement to introduce the scheme, the question of compensation does not arise. However, the Department is talking to the company that was going to run the scheme because it will have incurred some costs due to the withdrawal.

However, the scheme is voluntary. The company cannot be certain whether anyone will take it up, but, obviously, people will join. We will talk to the company in order to achieve a sensible outcome.

Workplace 2010

5. **Mr O'Dowd** asked the Minister of Finance and Personnel to outline the time frame for bringing forward the Workplace 2010 strategy. (AQO 176/08)

Mr P Robinson: I am more interested in hearing the Member's supplementary question considering that he said that I had answered his main question this morning. As I announced earlier, the Executive approved a recommendation that Workplace 2010 should proceed to the next stage of procurement. Subject to the injunction that was imposed as a result of the legal challenge being lifted, I expect an invitation to submit best and final offers to be issued to the two final bidders during October 2007. Based on current projections, it is,

therefore, likely that the contract will be awarded by autumn 2008. Workplace 2010 would then be phased in across all Departments over five to seven years.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. The Minister gave a comprehensive report this morning during his ministerial statement, so I have been puzzling over my supplementary question. Will the Minister outline what further role the Assembly will have in the process? Will there be regular reports to the Assembly on the contracts, etc?

Mr P Robinson: In the first instance, I am keen to keep the Committee for Finance and Personnel informed of issues that arise. I have promised to meet with the Committee to discuss Workplace 2010 and the job locations issue, and officials will keep in touch with the Committee about the terms of reference for such issues. Before the matter is decided, the Committee will be informed of the up-to-date position, and the Executive will want to see the contract to ensure that we have the best possible deal for the people of Northern Ireland. I will return to the House with a statement at the appropriate time.

Mr McQuillan: What will happen at the end of the contracts?

Mr P Robinson: The contracts will last for 20 years. I am almost tempted to say that it will be someone else's problem, but if there is any difficulty, it will be my problem. We have built a requirement into the draft contract whereby the estate can be put out for public sale again if the Department is not satisfied with the new option at the end of 20 years. That will provide a further safeguard to ensure that public interest is the priority.

Varney Review

6. **Mr Kennedy** asked the Minister of Finance and Personnel to indicate when the Varney Review of tax policy in Northern Ireland was likely to bring in its findings; and what was the scope of the representations he has made to the review. (AQO 178/08)

Mr P Robinson: On 19 July 2007, the Executive issued their formal response to the Varney Review's call for evidence. I have no further insight into Sir David Varney's intentions, but he will present his final report to the Chancellor of the Exchequer in early October. In the light of that, I will press for a meeting before the publication of Sir David's final report.

Mr Kennedy: In a recent statement to the Assembly, the Minister stated that it was premature to call for tax-varying powers, and said that he did not believe that the timing was right. In his responses to the Varney Review, will the Minister confirm whether he may consider tax-raising powers in the future? Do the Minister and the Department of Finance and Personnel

and, indeed, the Executive have a plan B to put to the Treasury on other tax-varying measures?

Mr P Robinson: Sir David Varney's request to receive evidence resulted in a report which was unanimously agreed by the Executive with all parties, including that of the Member, signing up to that submission.

The Member will not be surprised to hear that back-up positions are not offered in those types of submissions. We made Northern Ireland's special circumstances very clear: that we have a land frontier with a state that has a more competitive corporation tax rate; that we are emerging from years of conflict and instability; that we need to grow the economy, and that we need a new instrument to allow us to do that. That case was put forward by the Executive, and universally by the business community in Northern Ireland and was supported in evidence that Sir David received in the Republic of Ireland. At this stage I do not want to look at any plan B. I am looking to Sir David to do what is right and to give Northern Ireland the new fiscal instrument that will provide it with the step change it needs to get real economic growth.

Mr Neeson: Does the Minister believe that the Assembly's recent refusal to endorse the need for tax-varying powers has damaged our case — if not the process — for achieving lower corporation tax in Northern Ireland?

Mr P Robinson: No. That is not the case, and no reasonable argument can be made to support that view. During the debate on tax-varying powers, I made it clear that HM Treasury would probably be happy for us to have them, but that when a calamity would occur — as difficulties undoubtedly do happen — we would be left on our own to deal with it.

We do have a level of tax-varying powers in the regional rate, which is an instrument that we could use to vary the income we would require to fulfil spending needs. We will make our submission to Sir David available so that Members may see it, although it may also be made available at the foot of his report.

Mr Ross: Apart from any recommendations that may come from Sir David Varney, will the Minister indicate how the Executive can make a difference to our economic performance?

Mr P Robinson: The one concern that I have from all discussions about the Varney Review is that we foster the belief that the only way we can better ourselves is through the outcome of that review, and that unless we get a variation in the rate of corporation tax we will be floundering where we are at present.

Ultimately, the difference will be in the time we take to get real economic growth. If we can achieve a step change by getting a proper fiscal instrument that meets the requirements of Northern Ireland in the present

circumstances, a very expeditious change in the economic growth and prosperity of Northern Ireland will be seen. If that instrument is not given, then it will be up to the skill and ingenuity of the Executive and our officials to put in place whatever measures are possible. However, that will mean that it will take much longer to reach the same level of economic growth and prosperity.

Northern Ireland Audit Office: Earlier Intervention

7. **Mr Dallat** asked the Minister of Finance and Personnel what plans he had for earlier intervention by the Northern Ireland Audit Office in the financial affairs of governmental Departments and agencies.

(AQO 142/08)

Mr P Robinson: Section 65(3) of the Northern Ireland Act 1998 clearly states:

“The Comptroller and Auditor General for Northern Ireland shall not, in the exercise of any of his functions, be subject to the direction or control of any Minister or Northern Ireland department or of the Assembly”.

Therefore, I have no plans — or authority — to direct or encourage earlier intervention by the Comptroller and Auditor General or his staff in the Northern Ireland Audit Office in the financial affairs of Departments and agencies.

Mr Dallat: I find the Minister’s answer very disappointing. *[Laughter.]* I am glad that he can laugh at these matters. Millions of pounds have gone missing because there is no system of early intervention. If the Northern Ireland Audit Office cannot intervene, does the Minister intend to do so and thus save millions of pounds for the Assembly and prevent embarrassment when the Public Accounts Committee constantly unravels huge amounts of waste that could have been prevented?

Mr P Robinson: The Member should sit down in a dark room and think about what he is asking of us. He should consider the issue for one moment: the Comptroller and Auditor General will not want to get involved in a decision — *[Interruption.]*

4.00 pm

Mr Speaker: The time for questions to the Minister of Finance is up.

Mr P Robinson: The Comptroller and Auditor General will not want to get involved in a decision that he might have to revisit later.

Mr Speaker: That ends questions to the Minister of Finance and Personnel. We move to questions to the Assembly Commission. I ask Members to take their ease as we go into questions to the Commission.

Assembly Commission

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

Mr Deputy Speaker: The next item on the Order Paper is questions to the Assembly Commission. Mr Paul Butler will answer question 1 and Mr Sean Neeson will answer question 2 on behalf of the Commission. Question 3 has been withdrawn.

Parliament Buildings: Recycling Levels

1. **Mr McKay** asked the Assembly Commission to give an assessment of the level of recycling in Parliament Buildings. (AQO 177/08)

Mr Butler: Maith thú. The Commission is keen to promote environmentally friendly waste-management and energy policies throughout the Assembly. Since 26 June 2006, Parliament Buildings and annexe C have been involved in an estate-wide recycling initiative to reduce the amount of waste sent to landfill. Estate maintenance collects waste from the entire estate, compacts all general waste on site and segregates all recyclable waste for onward processing. A recycling company has provided us with the receptacles for segregation, and that is collected daily. The average recycling level in the estate stands at 30%, and the average recycling level in Parliament Buildings is between 25% and 30%, which is comparable to Westminster. The Office of the Keeper, in discussions with estate maintenance and the recycling company, plans to add more streams to the recycling policy to improve our recycling figures.

The Assembly Commission and its staff are developing excellent links with other Parliaments and assemblies, which will provide a forum for sharing good practice on environmental best-practice initiatives.

Mr McKay: What energy-efficiency measures are the Commission taking?

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. The Office of the Keeper works closely with the energy conservation branch and the Carbon Trust to improve the efficiency of the Building’s lighting and heating. We are introducing energy-saving bulbs, where feasible, in the Building. Several offices have powered lighting that turns off when there is no one in the office. Euresh has adopted the Assembly’s recycling policy, and, for example, all its used cooking oil is collected by the supplier and recycled. With regard to IT, there is a 60% reduction in the amount of energy absorbed by the display screens of the new computers, and there is a reduction in the heat produced by those machines. Printers go into low-power mode after approximately five minutes of inactivity, and that leads to an 80% reduction in the power used. Furthermore, the enhanced capabilities of the printers permit a

reduction in the amount of paper used through double-sided printing and multiple-page presentations. A contract is in place for recycling all printer consumables from Parliament Buildings and constituency offices.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. What renewable energy sources are used for Parliament Buildings?

Mr Butler: The Office of the Keeper and the Assembly's recycling policy is something that we need to consider. I will get back to the Member with a response.

Parliament Buildings: Artefacts

2. **Mr Dallat** asked the Assembly Commission if it will publish a list of all artefacts in Parliament Buildings, their value and proposals for their future.

(AQO 141/08)

Mr Neeson: There are approximately 60 items to be considered. A list of the artefacts has been prepared and will be provided to the Member. Copies can be provided to other Members on request.

A valuation of the artefacts was undertaken in 2001, and a further valuation took place in August 2007. The revised figures for that are not yet at hand, but will be provided to the Member when they become available.

A number of the most well-known artefacts are now being displayed in rooms in Parliament Buildings, with the remainder securely stored. The future use of the artefacts has yet to be decided, but it is intended that the Assembly Commission will consider options for their display in Parliament Buildings in the coming year.

Mr Dallat: I thank Mr Neeson for his answer.

There is a painting, currently hanging in the Speaker's office, of King William marching towards the Boyne with Pope Innocent VII hovering overhead, apparently giving his blessing. Does the Minister agree that having it in a public place to intrigue the visitors and put another slant on our beleaguered history would be an exciting venture?

Mr Neeson: I am well aware of that particular painting, and, in fact, during the summer a request was made for it to go on loan. The pictures that we do have are currently being displayed in the Members' Dining Room, the Speaker's office and the First Minister's office. Clearly, that is a significant painting, and where it should be is a consideration for the Commission in the future.

Mr Shannon: I understand that there are some artefacts of historical, and probably military, importance in the courthouse in Newtownards. Has an inventory been done on those and, if so, what is the intention for them?

Mr Neeson: A number of artefacts were put into very secure storage after the fire in the Building, which

Members may remember. Over the coming year, the Commission will be looking at the whole question of the display of artefacts, and consideration will be given to those that the Member referred to.

The Deputy Speaker: Those are all the questions for the Assembly Commission.

PRIVATE MEMBERS' BUSINESS

Classroom Assistants

Debate resumed on amendments to motion:

That this Assembly calls upon the Minister of Education to intervene immediately in the classroom assistants' dispute, in recognition of the vital role of classroom assistants, and to prevent disruption to children's education. — [Mr B McCrea.]

Which amendments were:

(1) Leave out all after "Education" and insert:

"to implement the recommendations put forward by the trade unions in the dispute over classroom assistants' pay evaluation, and to liaise with the Minister of Finance and Personnel to ensure that funds are made available in order to resolve the situation and avert strike action." — [Ms Purvis.]

(2) Leave out all after the second "assistants" and insert:

" , by convening an urgent meeting of the Department, employers and Trade Union side in the dispute, with an agenda to include (a) retention of the Special Needs Allowance; (b) retention of the 32.5 hourly pay divisor; (c) NVQ III and the job evaluation exercise; and (d) adequate pay protection arrangements, in order to prevent disruption to children's education." — [Mr Donaldson.]

Mr B McCrea: I am pleased that the Minister has given a clear commitment that she will intervene personally in that dispute. It is high time, and she should have done it before, but at least she is doing it now.

There were only a couple of points that came up in the debate, because she spent eight minutes attacking everyone else, about everything else, rather than talking about the issue. The Minister was asked a number of specific questions, and she did not answer any of them. That is not the way to go forward in this Assembly. For the Minister to fall out with just about everyone in the Assembly, including the entire Education Committee save Mr Butler, is not a clever, winning strategy.

The situation facing the classroom assistants is dire. Why should they suffer a cut in pay to finance financial mismanagement and inappropriate budgeting over a long period of time? The employers may feel that they have made a generous offer, but that is not for me to say, despite what the Minister said in her attack on me. Who is going to fix that problem? There is absolute consensus in the House that we should get the issue sorted.

My colleague Ken Robinson said, and research carried out by the Ulster Unionist Party shows, that other employers who employ a lot of teaching assistants, as they are called in England, say clearly that NVQ 2 is only for beginners and that established, professional people at the top of the scale should hold NVQ 3 qualifications.

That information comes from Government papers and statistics, and it should have been brought into play.

People do not understand the pay cuts. The language that we hear is that most of the jobs will be OK, and that not all of them will disappear. However, the people out there are being asked to do more work for less pay. People say that classroom assistants are wonderful and great, and that they could not be done without, but that is not the way to reward them.

The Minister seemed to suggest that she alone was the only person doing any work to resolve the dispute. However, when the Committee questioned her, it discovered that she had held only two meetings with the relevant parties. Had time permitted, I would have brought to the attention of the Chairperson of the Committee for Education that the Committee has brought the matter to the fore at every available opportunity. However, the Committee has only received research documents, which have been discussed. We then asked for a statement from the Minister's Department. Did that turn up? No. Did the Committee have to ask again? Yes. Eventually, the Committee received some information, but it amounted to nothing. The Department has taken a hands-off attitude, in case it would dirty itself with that type of problem. Somebody somewhere will have to take control of the situation.

Earlier, we thought that we might get a result. There were faxes going around to that effect. I have a statement from UNISON. I know that the Minister does not think that we speak to the unions, but today — one hour ago — a statement from UNISON stated that:

"We have been formally advised by the employers that no meeting will be convened today".

We thought that there was going to be a meeting. We were also advised that:

"No offer will be made. This is on foot of the attached from".

The statement goes on to name a permanent secretary.

The Committee talked to UNISON and to the Northern Ireland Public Service Alliance (NIPSA). It has been to the meetings in Ballynahinch. People come and talk to the Committee, and the Committee has tried to understand and resolve the problem at every single juncture. It is not acceptable for the situation to continue for 12 years, and that is the way that it is going.

Many Members have contributed to the debate. I am mindful of the positive contributions made by my friend Mr Donaldson in tabling his amendment, which we will support. There should be some way to give a bit of direction. We are not trying to be prescriptive. If there are other avenues, fair enough. We are not trying to constrain anybody's way forward.

I have explained the situation to Ms Purvis. I readily acknowledge that she has been at the forefront of the debate — I have been told so by the unions and the classroom assistants. However, although she spoke most eloquently, it is not right or proper that we should

dictate a settlement; that is for others to do. Although I applaud the stance that she has taken — and I understand that it is personal, and she has my full support for that — I regret that I cannot support her amendment.

Ms Purvis: I thank the Member for giving way. Does he accept that his motion was somewhat weak in its substance, and therefore he has to support something stronger? Does the Member also accept that, although he does not want to be prescriptive on the issues relating to a deal, almost every Member in the Chamber has referred to NVQ level 3, the hourly pay divisor, and the unfair pay? While the Member does not want to be prescriptive on a deal, those are the issues that he has addressed during the debate.

Mr B McCrea: I will reiterate for the Member that I was most impressed by her eloquence and her point about us caring about the outcome and solving it. I agreed with all of those sentiments. However, as I made clear in the Chamber and outside, I do not think that her amendment would help, although that is only a difference of opinion.

4.15 pm

I want to achieve unanimity. That is why I will accept the amendment tabled by Jeffrey Donaldson and Michelle McIlveen. I want Members to come together to assist the Minister of Education to resolve the issue. That is what this debate is about.

The Minister may feel that Members were making unwarranted attacks on her. She made accusations about gender and Irish-language bias. I am surprised that the Minister feels that she needs special attention. Every Member is equal and trying to do a job. Our job is to hold her to account. Her job is to sort this problem out.

Members have tried to be as constructive as possible. What we really want is action. We have deliberately not said that one side is better than the other. Ms Purvis stated that I could have been stronger. The trouble is that being stronger does not necessarily achieve consensus or a way forward. I plead with the Minister to stop talking about irrelevant matters such as Irish-medium schools and academic selection — tackle the issue at hand. Those issues are important and should be discussed, but there is another, more pressing, issue that must be dealt with now — the issue of classroom assistants.

If Members do not take action, we will face a strike on Wednesday. There will be a rally, which is unlikely to fix the problem, and that will result in another three days of strikes, which will not fix it either. The next strike will be for a week — or forever. That is not the way to solve the problem. There must be a better way.

The Minister confers with Paul Butler, but Members should be working together. The UUP motion is an attempt to bring all parties together. The general

consensus in the Chamber is that all Members want classroom assistants to be looked after properly and fairly. Members are not pointing the finger of blame — we just want the problem sorted out.

It may sound strange, but Members understand that the Department of Education works within constraints. However, the Minister must realise that the Department — and only the Department — has the resources to resolve this. If she must put other questions to other people, let her come back and talk to the Education Committee after she has done so. Although it is for the Chairperson to say, I believe that she will find the Committee to be most accommodating.

I want the Chamber to unite to defeat, regrettably, Ms Purvis's amendment and give 100% support to the motion as amended by Jeffrey Donaldson and Michelle McIlveen.

Question, That amendment No 1 be made, put and negatived.

Question, That amendment No 2 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly calls upon the Minister of Education to intervene immediately in the classroom assistants' dispute, in recognition of the vital role of classroom assistants, by convening an urgent meeting of the Department, employers and Trade Union side in the dispute, with an agenda to include (a) retention of the Special Needs Allowance; (b) retention of the 32.5 hourly pay divisor; (c) NVQ III and the job evaluation exercise; and (d) adequate pay protection arrangements, in order to prevent disruption to children's education.

World Alzheimer's Day

The Deputy Speaker: The Business Committee has agreed to allow up to 1 hour 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for the winding-up speech. All other Members will have five minutes to speak.

Mrs Hanna: I beg to move

That this Assembly expresses support for world Alzheimer's day on 21 September 2007; acknowledges that over 15,000 local people are currently living with Alzheimer's, and that dementia is expected to rise by 27% over the next ten years, due to people living longer, which would result in 20,500 people in Northern Ireland living with dementia by 2017; and notes that maintaining current levels of service provision is not sufficient for such an increase, and that it is important for patients and their carers to receive the best care available and access to clinically effective drugs, when appropriate.

All around the world, Alzheimer's associations, individuals, people with dementia and carers came together on Friday 21 September to mark world Alzheimer's day, 2007. It is fitting that the Assembly acknowledges the attempts that are being made to raise awareness of an illness that affects millions of people.

The theme of this year's world Alzheimer's day was "No time to lose". I hope that the Assembly will express its support by agreeing with me that there is no time to lose in addressing this major health challenge.

Alzheimer's disease and dementia are such a challenge for us, as so many people are unaware of these serious illnesses or properly understand them. More must be done to promote awareness so that people recognise the first symptoms of dementia and seek early help. In turn, communities must be educated so that they can understand and accept people who suffer from dementia.

I am alarmed by recent figures published by the Alzheimer's Society that show that more than 15,000 people are already affected by Alzheimer's disease in Northern Ireland. Furthermore, the prevalence of dementia is expected to rise by 27% over the next 10 years.

No doubt the number of people affected by the illness is significantly higher when one considers its effect on partners, carers and family members as they struggle to meet the daily challenges of caring for someone with the disease. However, the figures demand more attention for the illness and better care for people suffering from dementia in our communities.

However, the statistics do not tell the whole story. They cannot convey the breakdown of relationships between relatives who care for a loved one or how that can result in the loss of a lifelong friend. I have met representatives of the Alzheimer's Society in Northern Ireland several times, who tell me that that is the case. The society provides a range of services and is

committed, at all times, to promoting the autonomy and self-determination of people with dementia.

People who suffer from dementia and their carers need proper medical attention and care. The Alzheimer's Society's recent report from Dementia UK recommends the development and support of a whole range of services for people with dementia that responds to their specific care needs. Those services range from informal home care, day care and social care to specialist, residential and palliative care. It is clear that the capacity of health and social care services to meet the multiple needs of people with dementia and their families is a key policy issue for Northern Ireland. With demand for services growing, the issue is becoming ever more pressing.

Caring for people with dementia affects the quality of life of carers considerably. Many carers spend more than 10 hours a day caring for a person with dementia, so it is important that the Assembly recognises the burden on them and supports the development of adequate respite services.

The availability of adequate care services for people with dementia and of carer support poses a challenge. Many carers are unaware of services, or they feel that services are not available to them when and where they need them. There are also inequalities of access to treatment for Alzheimer's disease.

Members may be aware that the Alzheimer's Society took part in the first ever judicial review of guidance issued through the National Institute for Health and Clinical Excellence (NICE).

That challenge related to the guidance on the availability of Alzheimer's drugs on the Health Service. That landmark High Court decision ordered the National Institute for Health and Clinical Excellence to review and rewrite guidelines on access to Alzheimer's drugs. The court has ruled that the guidance is discriminatory, and therefore, must be reconsidered. However, the ruling upheld the guidance restricting Health Service availability of the only licensed drugs for the treatment of Alzheimer's disease in its very early stages. NICE accepts the clinical effectiveness of the drugs in question, which cost £2·50 a day. That acceptance of the effectiveness of those drugs is important.

The decision is now the responsibility of the Minister of Health, Social Services and Public Safety. I urge the Minister to ensure that everyone, at any stage of Alzheimer's disease, has access to appropriate drugs when those drugs are clinically recommended — it is, however, clear that they are not recommended for everyone.

I appreciate that the Department and the Minister have to manage finite resources and choose priorities carefully. I believe that Alzheimer's patients and their carers are a priority. The Minister and the Department

must look for savings — perhaps that could be done through the prescription of generic drugs, and making more appropriate use of acute hospital beds, among other savings. I appreciate that any extra cost is a cost to the taxpayer. However, it is important to realise that we are talking about a quality-of-life treatment for the patient, which reduces the burden experienced by carers and, therefore, reduces the cost to the taxpayer.

In the immediate future, the potential impact that dementia will have on the Health Service and on the quality of life in Northern Ireland is of serious concern. It is crucial that the Department gives dementia the priority it requires now — before the demand for services significantly increases. What is required is greater awareness and de-stigmatisation of dementia; the building of effective partnerships among policy-makers, clinicians, researchers, carers and people with dementia; and the development of care services that are responsive to the needs of people with dementia and their families.

Policy-makers need to be engaged in order to provide adequate resources for care and research, now and for the future. Care staff need to be trained, and the skills of healthcare professionals further developed to diagnose and manage dementia, as well as promoting research into developing better treatments for the future.

It is clear that the Department of Health, Social Services and Public Safety must develop plans to adequately respond to the challenges posed by the growing number of people with Alzheimer's disease and dementia.

Mr Buchanan: I support the motion, which concerns yet another health issue for the House to consider. I also welcome the Minister's presence.

Alzheimer's and other forms of dementia are devastating conditions that can take away people's capacity to remember; to make decisions and choices; to take responsibility; to communicate, and to undertake daily living activities including personal care, eating, and mobility, all of which leave the patient totally dependent on others for help.

Because people are living longer — and statistics reveal an expected increase of 27% of dementia patients over the next 10 years — it is inevitable that action must be taken to make provision for both patient and carers in order to ensure that they receive the best possible available care and clinically effective drugs in future months and years.

Over the past number of decades, a lack of attention from policy-makers and service-commissioners to the needs of people with dementia has led to treatment for dementia being delivered in a piecemeal and inefficient manner. Therefore, more investment, accompanied by careful planning, and a focus on quality outcomes for

dementia patients will be required in future years in order to deliver a better quality of life for patients and their families in a more efficient manner, while using available resources.

4.30 pm

Improved home care support packages, including low-level support, are required to help patients retain independence and dignity. The Bamford Review of Mental Health and Learning Disability (Northern Ireland) highlights the value of early diagnosis and intervention, yet access to home care support is increasingly restricted to those with the highest levels of need, making it even more difficult for people not assessed as having substantial or critical levels of need to access those services.

Unless community support improves, the situation will be compounded as the population ages and the number of people with dementia increases. People with dementia can only remain at home with their family and friends if the right support is put in place. Family and friends who provide care must have guaranteed access to carer support of a quality and frequency that meets their needs. It should include practical support services, carer information, training and access to support groups, as well as emergency back-up support and quality respite care.

Having watched a loved-one deteriorate from the dreaded Alzheimer's disease, I know something of the stress, anxiety and burden that is placed on the family unit as it devotes itself to caring for that loved one. A recent report from the Alzheimer's Society includes the following quotation from a son caring for a father with dementia, which highlights the family's anxiety and the gap which exists within current care provision:

"I don't think anyone really understands how exhausting and distressing it is to care for the person you love most in the world as they deteriorate before your very eyes. Our family wants to continue to care for my father at home for as long as possible — but we really do need more help — reliable and well-trained people who understand dementia and have the time to develop a real relationship with my father."

The real challenge now, aside from providing quality care and care homes, is to support people with dementia in their own homes. More effort is required from the public, private and voluntary sectors to find good quality, cost-effective options to meet the needs of patients with dementia and their families in the years to come.

Mr Brady: Go raibh maith, a LeasCheann Comhairle. Sinn Féin supports world Alzheimer's day, and I welcome the motion.

Alzheimer's disease is the most common form of dementia and accounts for 62% of the population with dementia. As has been stated, there are possibly 16,000 people with dementia living in the North; and it is

estimated that by 2051 that number will have increased to more than 47,000. Dementia largely affects people over 65, though 2% of sufferers are under 65.

I had a very good friend who died at the age of 48 from Alzheimer's disease. It took two years to diagnose his condition, and it is possible that, had the disease been diagnosed at a much earlier stage, his life could have been prolonged and its quality improved. Unfortunately, that did not happen.

There are almost 10,000 people in the North with Alzheimer's disease. Some 5,500 of them are in the early stage of the illness and 3,200 are in the moderate stage. The statistic that over 1,400 people develop Alzheimer's disease every year is frightening. Part of their problem is that it can be difficult to obtain a diagnosis. Only 40% of those with early-stage Alzheimer's disease are diagnosed as having the disease and can, therefore, be prescribed drug treatments.

Alzheimer's disease is more common in women than in men, even though women generally live longer. Alzheimer's disease and other forms of dementia present as one of the world's most significant emerging health and social care challenges. Unfortunately, there is lack of awareness about it among policy-makers, clinicians and the general public.

People affected by dementia do not seek health services, and even if they were to do so, health care services tend not to meet their needs. Dementia is a stigma, and people who suffer from it can be excluded, in some cases, from residential care.

As has been stated, families are the main carers. The emerging themes are lack of understanding, and how distressing it is to care for the person you love most in the world as they deteriorate before your very eyes.

On Friday, I spoke to a man whose wife was diagnosed with Alzheimer's disease in the past two years. Before she descended into the final stages of the disease she was able to articulate how she was affected. It struck me that he said that the person whom he had married 40 years before no longer existed; the body was there, but the spirit had gone.

Primary healthcare services play an essential role in the detection, management and prevention of dementia. The Bamford Review highlights a range of important issues that need to be addressed urgently. Those should include access to independent information and advocacy services for people with dementia and their carers. There must be a focus on early diagnosis, intervention and treatment and improved access to general health and social care intervention for people with dementia. However, community care services are only available to those who have complex needs, in situations in which carers are under so much stress that they are unable to cope.

Drug treatments for Alzheimer's disease are currently available on the NHS for all patients who are recommended by clinicians. I have spoken to carers who say that the drugs can be effective, but not necessarily in all cases. The National Institute for Health and Clinical Excellence (NICE) recommends withdrawing access through the NHS for people in the early stages of Alzheimer's disease to the only drug treatments that are licensed and clinically effective, as they are deemed not to be cost effective by NICE. The drugs — Reminyl, Exelon and Aricept — cost approximately £2.50 per day. In October 2007, the Minister of Health Social Services and Public Safety, Mr McGimpsey, will make a decision about whether to keep drugs for Alzheimer's disease on the NHS.

The provision of nursing and residential homes is also in need of review. Groups such as the Alzheimer's Society, which is the leading research charity for people with dementia, their families and their carers, need all the support and funding available to enable them to carry on their important and valuable work. Local branches, such as the Newry branch in my constituency, do valuable and important work. Over the years I have had a close working relationship with the Newry branch of the Alzheimer's Society, the members of which deserve all the support and funding available to help them deal with approximately 584 cases of Alzheimer's disease in our area. By the year 2021, that number will have increased by an estimated 36%. Go raibh maith agat.

Mr B McCrea: I support the motion tabled by Carmel Hanna with pleasure. Only now is this issue coming to the fore: society is adapting to the fact that we are living longer, which is good and something that many Members are thankful for.

Society must learn to cope with that change, but for the individuals concerned, and their families, Alzheimer's disease is a tragedy. Members must ensure that we support those affected, their carers, healthcare professionals and voluntary organisations, like the Alzheimer's Society, which do sterling work.

The sad fact is that there is no cure for this disease. When looking at how one might help, the conclusion is that the only thing one can do is to try to ease the suffering. Society must do everything possible when it comes to drugs, respite or other interventions, and I am sure that the Minister of Health, Social Services and Public Safety will address those matters later.

Many questions of a similar nature will continue to affect us and are probably part of a bigger problem that will become even bigger in the future. How will society cope with an aging population which has done its fair share of work and will require more medical intervention in the later years of life?

In an associative sense, that reminds me of when I tried to help people with severe learning disabilities. The same issues must be dealt with: the need for 24-hour care; the lack of breaks or respite, and the worries of carers about what will happen when they have passed away.

I will not labour that point because I am sure that — as with all such issues — there is general support from Members. In the fullness of time, and as soon as possible, the Minister must bring forward a strategic vision for Alzheimer's. There cannot be a quick fix. Long-term investment for the future must be examined. Members must take a long, hard look at that because the level of expenditure that is required is one that the Assembly is not used to having to deal with. There is no point in simply saying that the matter must be dealt with: money needs to be found in order to do that. That is what civilised people do. The Assembly must box clever in order to provide respite to the people who need it, and to be able to afford appropriate drugs.

The Assembly can be assured of my party's support for the motion. I look forward to the Minister's comments.

Dr Deeny: Having listened to other Members' contributions to the debate, perhaps I can add to it by speaking as someone who has worked with people before their being diagnosed with Alzheimer's, when they were fit and healthy, and, indeed, when they have reached the end stage of the disease, just prior to death. I am sure that Members are aware of how devastating the disease is, not only for the sufferer, but for his or her entire family circle.

I wish to outline some facts about Alzheimer's. It is a progressive, incurable and physical disease of the brain that results in ongoing deterioration of brain function. As has been stated, there are many types of dementia. Dementia simply means a lessening of brain function. The most common form is Alzheimer's, followed by vascular dementia, which is circulatory. There are other rarer forms.

Alzheimer's is a progressive disease, which means that, gradually, more parts of the brain are damaged. As that happens, the symptoms become more severe and distressing. They involve memory loss, confusion, and problems with speech and understanding, which progress until sufferers end up in a baby-like mental state. That is well known. However, it is extremely disturbing for family members and for those who have to care for Alzheimer's sufferers. Patients become completely disorientated in time, place and person.

As has been rightly pointed out, Alzheimer's sufferers are stigmatised, rejected, dismissed, shunned and ignored. It appals me to see that, but it happens. It is a major societal problem. Society must change its views to that most distressing disease. Having worked with people for years in general practice, I believe that we

forget and ignore the older and much wiser generation at our peril.

There is no straightforward test for dementia. Doctors do not know why some people get Alzheimer's and others do not. It is known to be inherited in 5% to 10% of sufferers. Some statistics from the Alzheimer's Society have already been mentioned. I wish to recap on some of those: there are 700,000 sufferers of dementia in the UK, of whom 400,000 have Alzheimer's; there are 24 million sufferers of dementia worldwide; at present, as another Member mentioned, 15,000 younger people in the UK suffer from pre-senile dementia, and there will be more than 1 million sufferers of dementia in the UK by 2025. The Assembly must, therefore, consider future health provision.

Two thirds of dementia sufferers are women. The proportion of dementia sufferers doubles in every five-year age group: in other words, there are twice as many dementia sufferers among 70- to 75-year-olds as there are among 65- to 70-year-olds. It is estimated that delaying the onset of dementia by five years would reduce the number of deaths that are directly attributable to the disease by 30,000 a year. The financial cost of dementia in the UK is more than £17 billion each year. Some 64% of people who live in care homes suffer from a form of dementia. Two thirds of people who suffer from dementia live in the community and one third live in care homes.

As my colleague Basil McCrea mentioned, there is no cure for that dreadful disease. Therefore, the basis of treatment is to alleviate, as far as possible, some or all of the symptoms of the disease and to slow down its progression.

Some drugs, such as Aricept, Exelon and Reminyl, can do that. Of course, there is major controversy at the moment about Ebixa, which is said not to be clinically effective. That is why the National Institute for Health and Clinical Excellence has said that it should not be prescribed. However, if it is, subsequently, proven to be clinically effective, then it should be prescribed. That is my view, as a medical person.

It is believed that eating a healthy diet which includes omega-3 fatty acids, which are found in oily fish such as salmon and mackerel, and staying physically and mentally active are very important. Also, recreational activities that promote conversation and mental stimulation are very important in helping to prevent dementia, or at least in delaying its onset. It has also been proven that those activities can help to improve life for those who already have the disease.

World Alzheimer's day — held on 21 September each year — promotes awareness of the disease so that people can understand its early symptoms; provides support and accessible information to sufferers and their carers; trains staff and develops the skills of

healthcare professionals; engages policy-makers to provide adequate resources; promotes research; and educates communities.

In my view, having been a doctor for 27 years, Alzheimer's disease, and dementia in general, presents one of the greatest health and social challenges of our time which, across the world, often goes unnoticed. We all need to play our part in improving the quality of life of all those who are unfortunate enough to suffer from dementia, and that of their families and carers. I support the motion.

4.45 pm

Mr Easton: I am pleased to join with other Members to encourage the Assembly to express support for world Alzheimer's day, which was acknowledged across the world last Friday. An increasing number of people are suffering from dementia and Alzheimer's disease. I can see the significance of that as regards its impact on services and care provision, and the need for increased expenditure on appropriate drugs.

Resources are finite, and healthcare provision cannot command unlimited support. There are challenges to be faced by the Assembly as we consider the distribution of available resources. Those challenges will require all of us to have more realistic expectations and an understanding of the need to establish priorities. We must all recognise that dementia and Alzheimer's disease are conditions that can knock on any door. They are among the greatest challenges to be faced by health professionals, and communities, in the century that lies ahead.

These illnesses are often hidden from the public gaze, unnoticed, stigmatised, often dealt with by family members and carers who make the best of a very difficult situation — often with little help. They are increasing in frequency, with an estimated 24 million sufferers worldwide — though that statistic may only be the tip of the iceberg when compared to the real situation. It is incumbent on all of us to challenge the myths, remove the stigma and support the carers.

We can all contribute to improving the situation. It is clear that additional resources must be matched by specific actions. There is much that we can do to promote awareness, as we are doing by using the Assembly to educate the public about dementia and Alzheimer's disease. We need, in our health provision, to provide accessible information and support for carers and health staff. Training and education programmes for carers and health professionals will equip people with diagnostic skills so that treatment can be made available at an early stage of the disease.

Policy-makers must be encouraged to see the need for increased resources for care and research. Research is vital in helping us to understand the problem and

give effective treatment. The education of the wider community is also a challenge that we can meet. We must encourage everyone to empathise with those who are ill and recognise the burden placed on their families.

I am sure that Members are keen to send a strong message of support from the Assembly to the 35,000 people in Northern Ireland who are directly affected by such illnesses, and to give an assurance to all those involved in caring for them that we understand their situation and will encourage the provision of appropriate support. I support the motion. Go raibh maith agat.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I support the motion, and I thank Carmel Hanna and Tommy Gallagher for proposing it. Alex Easton mentioned 35,000 people — multiply that figure by three to give a conservative estimate of the number of people who are affected by Alzheimer's disease and other forms of dementia.

As a society, we are living longer and, therefore, we need to consider — as other Members have said — the impact of that on the Health Service. The costs need to be built into future budgets. Alzheimer's disease and other forms of dementia are devastating conditions.

They take away someone's capacity to remember, to make decisions and choices, take responsibility, communicate and do the everyday things that we take for granted. It is a devastating condition. The Alzheimer's Society sent me some information, and I will read out some comments from a woman who has recently been diagnosed at age 62. She says:

"The medication I take seems to be stopping me from getting worse at the moment. But I know that won't last forever — and I am so, so frightened. I live on my own; I have no relatives close by. What am I supposed to do, who am I going to be able to trust to keep me safe and help me lead as full a life as possible. I am just so frightened."

That is the fear that most sufferers have — that they will no longer be able to live the life that they lived previously.

I now turn to the implications for future public health policy in developing countries. We must look at possible means of prevention. Prevention should focus on targets suggested by current evidence: risk factors for vascular disease, including hypertension, smoking and type 2 diabetes. It is quite obvious that more research is needed to look at other risk factors in the developing world, and work in that area has already started.

We must make progress in dementia care in developing countries. There is a lack of awareness among policy-makers, clinicians and the general public, and I will outline the many consequences that that has. People affected by dementia do not seek health services — even if they do, healthcare services tend not to meet their needs. Sufferers are stigmatised, and they can be

excluded from residential care. It is quite evident that there are no co-ordinated lobby groups to provide information or advice to Governments. Families are the main caregivers, and they lack support and understanding from others and can experience considerable strain and isolation.

Carmel Hanna and others mentioned the Bamford Review. The Bamford Review report on older people, mental health, and dementia, 'Living Fuller Lives', has not yet been costed, prioritised or implemented. We need to include access to independent information and advocacy services for people with dementia and their carers. We need to focus on earlier diagnosis, intervention and treatment, and we must look at improved access to general health and social care interventions for people with dementia.

Kieran Deeny and my colleague Micky Brady mentioned drug treatments for Alzheimer's that are currently available on the national health service. NICE recommends withdrawing from the NHS the only effective licensed clinical drug treatments for people with early stages of Alzheimer's. NICE has deemed that those drugs are not cost-effective. Kieran mentioned Exelon and Aricept, and they cost £2.50 a day. That matter will be considered by the Department of Health, Social Services and the Public Safety, the Minister and, I hope, the Committee, and a decision will be made sometime in October. We must look at that matter, too. If drugs are effective, they must be prescribed to people, as Kieran has said. If they are not effective, an effective alternative must be found. It is quite clear that people suffering from Alzheimer's and other forms of dementia are already excluded and stigmatised, and we must ensure that we do all that we can for them. It is with pleasure that I support the motion, which seems to have cross-party support. Go raibh maith agat.

Mr G Robinson: I am sure that the present Minister of Health, Social Services and Public Safety — who I am glad to see in the House today — and his successors will be keenly aware of the changing health priorities that increasing longevity brings. Although the motion gives a large projected number of future sufferers of Alzheimer's, the requirements for services and effective medication will, I am sure, be kept under review by the Department.

Changing demographics require that all public services need to be adaptable and proactive in planning for future requirements. It is also essential that the contribution that family members make in caring for those with Alzheimer's is not underestimated.

The Health Service saves a huge amount of capital expenditure on finding nursing beds or other suitable accommodation because many families keep their loved ones at home. Every Member will be happy to

recognise and applaud the contribution of those families, who take such great care of their loved ones. Too often, the dedication and sacrifice of carers goes unnoticed and unrecognised by society in general, and everyone should remember that Alzheimer's disease, or any other form of dementia, affects the family circle and not just the individual.

It is hard to understand fully the dedication required of people caring for relatives with Alzheimer's disease, as they watch their loved ones become a shadow of their former selves. That only adds to the burden of care and is why provision for and access to the support services available for carers must be maintained. It is also why the best clinical treatments should be under constant review to ensure that quality of life for sufferers and carers is kept at the highest and best possible level.

I am more than happy to express my support for world Alzheimer's day and will certainly keep an interest in the provision of services and effective medication for sufferers. I support the motion.

Mr Kennedy: I add my support to the motion and thank those who proposed it. I am not a member of any health committee nor do I pretend to be an expert on health matters, least of all on Alzheimer's disease. In many ways, this is a personal statement, as I am a member of a family that recently lost a loved one to the disease. It has created enormously difficult family circumstances, as, over a six-year period, we have had to come to terms with each of the very trying, and, in many ways, cruel stages of the condition.

The disease began six years ago with ordinary, simple mistakes, such as overlooking minor matters, and as time wore on, those apparently simple mistakes multiplied and were amplified to the extent that we were able to identify the cause of something that had wrought enormous change in one whom we loved so deeply. It led a once very capable, cheerful, efficient, pleasant and outgoing person to retreat almost into a shell, which was enormously difficult for the family to come to terms with. A concerned and loving husband, children, grandchildren and the wider family circle knew that something was not right and that certain things were happening.

Medical help was, of course, made available but was always going to be limited, not least because there is no cure. There may even be issues in the medical profession about the condition. It is important that the medical profession does not write off people who suffer from Alzheimer's disease; finding that balance in the medical profession can sometimes be difficult. Medication is available but not always successful.

Care is available, and, like Mickey Brady, I pay tribute to the Newry branch of the Alzheimer's Society, which gave my family all the help and support that it

could. However, as the years passed, it became inevitable that we as a family could no longer provide adequate nursing care for our loved one, and we were then so grateful to Avila nursing home in Bessbrook for taking on that care, attention and love, which was quite exceptional.

5.00 pm

However, that did not completely dispel the feelings of guilt or inadequacy that we, as a family, felt. Although the nursing care was excellent, we somehow felt that we were letting our relative down.

Alzheimer's is an illness that has not been treated with proper respect or recognition, largely because of ignorance. It has been a topic for rather poorly judged jokes, but there is nothing funny about Alzheimer's — ask any family that has been through it with a relative. I hope that, through debates of this nature, we can improve and increase the public understanding of the illness.

Our loved one passed away peacefully on 10 May, and we were gratified and comforted by the fact that she had strong personal faith. Her passing came in the middle of so-called huge, important political events, which were a reminder that there are some events over which we have little or no control. I support the motion.

Mr Gallagher: My contribution comes after a graphic account of another Member's personal experience. Mr Kennedy's speech has sent Members a clear message that our Health Service has a long way to go to meet its response to the needs of people with Alzheimer's.

Every year, there is a rise in the number of people who are identified as sufferers. With that increase, a growing number of families is brought into the net, and must face the challenges and responsibilities of caring for family members. Most of my comments will be directed towards carers, because families in my constituency of Fermanagh and South Tyrone do not understand the reason for the local health trust's many shortcomings. The carers have huge demands placed on their time and on their health. They pay a price with their well-being, yet they still save the Government millions of pounds every year.

There are ongoing serious problems with the level of support that is available to carers. The Western Health and Social Care Trust cannot meet the need of Alzheimer's patients because of budget constraints. Moreover, its care budget is in deficit. Some care packages are being cut, and the vulnerable people to whom the motion refers are being asked to use their pensions and benefits to pay for care packages.

Every week, my constituency office receives enquiries from families who are trying to cope with someone who has dementia. I am sure that other Members have the same experience. Those families are always distressed,

particularly over the lack of support that they receive. Instead of being given support, they face cutbacks.

It is completely wrong that someone who is caring for a family member who has Alzheimer's should also have to fight a battle against cuts in their care package. I do not understand the situation. The families find it unsatisfactory and certainly do not understand the situation. In some areas of the west, facilities such as residential care, day care and respite care are either scarce or non-existent. Those areas must be examined urgently and further developed. There are often not enough places in those care homes that have the appropriate skills and facilities to deal with people who have Alzheimer's.

The assessment, around the time of the onset of the illness, should be based on need. My experience is that the assessment is based more on how much money is available in the budget than on the needs of patients — and I am afraid that that is increasingly the case. I am aware of several cases in which basic needs are not being met because of lack of money, and I referred to the extra stress that that puts on those involved with the patients, particularly those who cannot access respite care.

People suffering from Alzheimer's disease can sometimes deteriorate quickly, and that can result in major changes in their overall circumstances. When that happens, the Health Service is slow in providing the extra support needed.

As anyone in the west will know, the area has a poor occupational therapy service and suffers from a shortage of occupational therapists. Money is available for home adaptations and the provision of facilities in the home. However, although the money is available, an occupational therapist is not always available to come to the person's home to carry out the assessment.

Mr Shannon: This bes a topic fowk hae strang feelins aboot an hit's yin A hae spoke aboot monie tims afore es the figures ir vexin' an' far reachin'. I dinnae hae tae gae intae the nummer o' fowk smit wi' this disease i Norlin Airlan noo an in tims tae cum.

Hooiniver A'hm gyely anxious tae point oot at severe dementia can bae pit aff fer years bae the uise o' drugs. Thon leuks laike a guid thing, hooiniver lif' isnae sae straight forrit an' the reccomendations o' the National Institute for Health and Clinical Excellence hae meant at i Inglan' an' Wales gien this drug tae fowk fer £2.50 a day, an sae gien a betther quality o' lif' fer thaim i the early stages o' the disease, wul nae langer bae a chuse oan the NHS.

Hooiniver i Norlin Airlan thon decision wul bae maide bae oor ain Meenester fer Healtht an A want tae tak' this chanst tae ax him tae think lang an haired aboot thon drug an aboot blinly follaein the mainlan's lead i this matther.

Alzheimer's disease is an emotive subject on which I have spoken many times, because the statistics are worrying and far-reaching. I do not need to talk about the number of sufferers that the disease has affected, and will affect, in Northern Ireland.

However, I am at pains to emphasise that the onset of severe dementia can be deferred for years by drug treatment. That sounds positive, but, as ever, life is not that simple. The National Institute for Health and Clinical Excellence recommendations mean that in England and Wales, the provision of the drugs that can provide a better quality of life to early-stage sufferers of the disease, at a cost of £2·50 a day, is no longer an option for the NHS.

However, it is the Minister of Health, Social Services and Public Safety who will be making the decision in Northern Ireland, and I take this opportunity to ask him to think long and hard about those drugs and whether he will blindly follow the mainland's lead.

I was greatly moved by Danny Kennedy's speech. His passion and compassion sums up for every Member how the disease affects people. Several people have come into my advice centre, and I remember some who were in the early stages of Alzheimer's disease and who have now passed away.

For a relatively small amount of money, drugs can, and do, make a positive difference to the lives of sufferers and carers. They enable sufferers to remain independent, which decreases the burden of cost for the state, as they are able to stay at home and be cared for by loved ones for longer. That reduces their reliance on the state for care provision.

The number of dementia sufferers is increasing, and it is projected that there will be a 200% increase by 2050. Members will not be here then, but that projection indicates the extent of the problem and how much it will grow. It does not take a mathematician to work out that the state cannot afford the £40,000 per annum needed to care for each person suffering from severe dementia.

It would be better to ensure that the development of the late stages of Alzheimer's disease is delayed for as long as possible, which is what the motion is all about. It is about providing drugs to the sufferers, delaying the onset of dementia and giving families confidence and support when they need it. To deny people in the early stages of Alzheimer's disease the only clinically-effective licensed drugs for their condition is cruel and unfair. Moreover, we must always remember the carers and families who, unashamedly, and without pay or financial assistance, care for their loved ones. They are the mainstay of dementia care in Northern Ireland. I ask Members to support the motion.

I do not pretend to be a statistician; however, the following figures have a purpose. A Dementia UK report states that people caring for dementia sufferers save the public purse over £6 billion a year, £141 million of which is attributable to Northern Ireland. I urge the Minister to look to the future and allow effective drugs to be used where appropriate, helping not only the dementia sufferers, but their families, so that the sufferers can have a few more years of freedom, independence and some semblance of normal life. I support the motion.

Mr McFarland: Alzheimer's disease is one of the most disturbing diseases. To watch a loved one progressively become a total, and sometimes hostile, stranger is devastating. My father suffered from vascular dementia after a series of strokes. The effect is similar to Alzheimer's disease, and my mother cared for him for 10 years before his death. The effect of the demolition process is profound on both sufferer and carer.

It is encouraging that the issue of Alzheimer's disease is now to the forefront. I commend the Alzheimer's Society for its efforts in supporting sufferers and carers. For the record, I commend to the Minister nine recommendations made in a recent 2007 Dementia UK report to the Alzheimer's Society.

Dementia must be made a publicly stated health and social care priority. That must be reflected in plans — something unusual in Northern Ireland — for service development and public spending.

There must be an urgent review of Northern Ireland medical research funding to establish current levels of dementia-focused research. An ambitious funding programme into the causes, prevention, cure and care of dementia sufferers must also be developed.

Dementia carer training should be made a core, and substantial, part of the training curriculum for nurses and social care staff. Standards must be developed in Northern Ireland to include dementia-specific requirements on dementia-care training.

People with dementia need improved home-care support packages, including low-level support to retain their independence and dignity.

Families and friends who provide care must have guaranteed access to carer support of a quality and frequency that meets carer needs. That must include practical support services, carer information, advocacy, training and access to support groups, as well as emergency backup and support and quality respite care for dementia sufferers and their carers.

We must have Government-backed debate on who pays for care to establish a clear and fair balance between the contributions made by the state and by the individual. We will not get into that debate today, but it would be helpful if the Minister were to address the

issue with the Committee for Health, Social Services and Public Safety.

5.15 pm

An integrated, comprehensive range of care models for dementia sufferers could be developed to bridge the gap between care at home and care in the care home. Dementia sufferers and their carers need guaranteed access to specialised health, social care and support services.

Finally, Northern Ireland politicians must ensure that dementia sufferers continue to benefit from clinically-effective drugs on the NHS.

That is from a recent academic study, given to the Alzheimer's Society. Those recommendations make sense to me. I commend them to the Minister, and I commend the motion to the House.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I, like all Members in the Chamber, am concerned about meeting the needs of those suffering from Alzheimer's — and other forms of dementia — and of their carers.

I have already stated my commitment to improving the services for people with mental-health problems or learning disabilities, regardless of age. Alzheimer's, and other forms of dementia, seriously impact upon the lives of the families and carers of sufferers.

All Members will be aware of the Bamford Review, which is central in providing us with a future strategy for mental-health and learning-disability services in Northern Ireland. The Bamford Review highlights that 16,000 people aged over 65 currently suffer from dementia in Northern Ireland. In 20 years that figure will have increased to 20,500, and by 2051 to 47,000, which represent increases of 30% and 200% respectively.

Dementia is essentially a disease of the elderly; 10% of people over 75 suffer from dementia, a rate which doubles every five years of increasing age, so that over 40% of people over the age of 85 are likely to be affected. There are also approximately two women for every man affected, which is due to the longer life expectancy of women.

Although dementia is predominantly a disease of the older generation, it can also affect younger people. The Bamford Review reveals that dementia in younger people is a significant problem, with an estimated 500 people affected — although the true figure could be much higher. Early-onset dementia is particularly common in people with Down's syndrome; 40% of those aged 50 with Down's syndrome have signs of dementia. There is no one cause for the early onset of dementia, although research shows that alcohol-related brain damage accounts for 10% of the overall dementia population and 12.5% of dementia in people under 65.

Alzheimer's disease is the most widely recognised form of dementia. The Alzheimer's Society estimates that, of the 16,000 dementia sufferers in Northern Ireland, 10,000 have Alzheimer's. It is a disease that is likely to have existed for a long time, but in the past it was simply accepted that people got confused and forgetful as they got older. Increasing recognition, and increasing lifespan of the population are probably the reasons why Alzheimer's is now more prevalent. However, the possibility that modern lifestyles and toxins could be making this disorder more widespread cannot be ruled out.

Researchers believe that for the majority of sufferers, Alzheimer's disease is due to a combination of different risk factors rather than a single cause. Such factors, which vary from person to person, may include age, genetic predisposition and other diseases or environmental agents. Alcohol can contribute to the onset of dementia, and smoking is now recognised as a possible contributory factor of the disease. It is not unreasonable to suggest that modern lifestyle may be having an impact on the growth of dementia.

Dementia is a cynical syndrome, characterised by the widespread loss of mental functions, such as memory loss, disorientation, changes in personality, self-neglect and uncharacteristic behaviour. It is also important to state that Alzheimer's is a progressive disease, for which there is no cure and from which sufferers will eventually die. Stages of the disease are often characterised as mild, moderate and severe, which require particular and appropriate treatments at each stage. That is why we must ensure that sufferers receive the best help available: services must be tailored towards the needs of the individual and must not be based on assumptions made about the disease. Alzheimer's affects each person in an individual way.

Several drugs for treating dementia are available on prescription in Northern Ireland. These include drugs to treat specific symptoms such as depression or aggression, and anti-dementia drugs, which can improve cognitive function in patients for a limited time by increasing the availability of neurotransmitters in the brain. However, they do not work for all patients, and indications are that they do not slow the progress of specific dementias such as Alzheimer's disease. Anti-dementia drugs are available on prescription in Northern Ireland, and treatment is initiated under the recommendation of a consultant. Any prescriptions can be subsequently repeated and monitored by a GP. Over 44,000 prescriptions are dispensed annually.

The Department of Health, Social Services and Public Safety is currently reviewing the NICE guidance on Alzheimer's disease. Several Members mentioned that guidance. The Department is also reviewing a broader NICE clinical guideline on the management of dementia. That includes advice on the use of antipsychotic

drugs in treating non-cognitive symptoms of dementia. Antidepressants are also used to treat associated depressive symptoms.

NICE has recommended the use of anti-dementia drugs to treat people who have moderate Alzheimer's disease. The institute is determined that the drugs can be clinically effective when the disease is at a moderate stage. NICE make its recommendations, and although the Government — or I, as Minister — will not question its decisions on the clinical effectiveness of a drug, I will question a drug's application and appropriate use. That is why I have not considered that matter. However, I will do so this autumn and will inform the House in due course.

Drugs are not the only available support for dementia sufferers. There is a unique integrated system of social care in Northern Ireland. That means that integrated care teams can take a holistic approach to assessing and meeting all health and social care needs. I know that there are differential applications of the service in Northern Ireland, but there is a strategy behind that. For instance, the 'Caring for Carers: Recognising, Valuing and Supporting the Caring Role' report, which was published in January 2006, is still a work in progress. When treating and supporting anyone who has dementia, our intent must be to allow those people to live as independent and fulfilled lives as possible. We intend to make the best use of their structural advantage by introducing a single care-assessment process. Work on that is already under way and is being led by a team from the University of Ulster. As well as improving and harmonising standards of assessment, it will reduce unnecessary duplication for users and professionals.

We already have some excellent examples of flexible and responsive community-care services both for people who have dementia and for their carers. In the Northern Health and Social Care Trust, for example, the Causeway Hospital is working in partnership with the Northern Ireland Housing Executive and the Fold Housing Association. They have developed residential, therapeutic and support services on a single site. Voluntary groups, such as the Alzheimer's Society, also have access to those facilities for the delivery of their services.

In 2007–08, an additional £4 million was invested in flexible and responsive community care services for older people, including those who have dementia. Families living with dementia should also have the opportunity to avail of direct payments in order that they can exercise choice and independence in assessing the services that they need. I am not suggesting that everything is perfect or that we have implemented all recommendations, but a strategy exists, and it is very much a work in progress.

As part of the Bamford Review, 'Living Fuller Lives', a consultation report into mental health and learning disabilities, was published. That report deals with future services for those who will develop dementia and/or mental-health issues in later life. The Department is leading on preparing the Government's response to the Bamford Review and is taking the recommendations of that report into consideration. Work has already begun on its implementation. For example, Bamford recommended the establishment of a policy- and practice-development centre for mental-health services for older people. Such a centre would provide information, training, consultation and research and would help to secure comprehensive and relevant dementia-service provision. In May 2007, a regional dementia services development centre for Northern Ireland was launched.

The service was funded for two years by the Atlantic Philanthropies organisation and will be supported by the team at Stirling University until March 2009. The purpose was to enhance the standard of care for people with dementia and their families through education, consultancy, research and development.

I also recently established the Mental Health and Learning Disability Board, and I expect that board to be a champion for people with mental-health and learning disabilities and one of the driving forces in delivering the Bamford reforms. The role of the board is also to advise and challenge me on the approach and pace of implementation of the recommendations.

I am on record as saying that I accept that there is a need to do more to develop mental-health services for the people of Northern Ireland. I am committed to building on what is currently in place and to improving services, in line with the recommendations in the Bamford Review, for sufferers and carers alike. That is increasingly important now that more of us are living longer.

Mrs M Bradley: I would keep the House here all night if I commented on everything that Members have said, but everyone who spoke touched on the same issue, which makes it plain that people do understand some of what dementia brings to a family. I nursed my father before he died of senile dementia, and it is very hard for any family that has to do that. You watch that family member fading away before your eyes, becoming a stranger to you as you become a stranger to him, and you wonder whether there is anything that you can do to stop him from doing some of the things that he does, but everyone is helpless in that situation. It is very, very difficult to cope with. I always respect people who care for those with dementia, because they can never get enough support.

I welcome the Minister to the House today and thank him for telling Members about the current position on treatment and support for sufferers of Alzheimer's

disease, and the way forward, but I urge him to do everything in his power to relieve the situation for both the victims of dementia and, particularly, for the families and loved ones who have to live with them. I can say for sure, that it is not easy — it is very, very difficult.

It is good that the motion was brought to the House today. The wording of the information booklet on Alzheimer's disease 'No Time to Lose' is right — there is no time to lose when someone develops dementia. There is no time medically, or for the family, because early intervention is necessary to stop sufferers from being so badly affected that they do not know their family members and their family members do not know them. It is very bad for everyone.

With the help of the Minister, the Assembly is going in the right direction towards helping those affected by Alzheimer's disease.

Question put and agreed to.

Resolved:

That this Assembly expresses support for world Alzheimer's day on 21 September 2007; acknowledges that over 15,000 local people are currently living with Alzheimer's, and that dementia is expected to rise by 27% over the next ten years, due to people living longer, which would result in 20,500 people in Northern Ireland living with dementia by 2017; and notes that maintaining current levels of service provision is not sufficient for such an increase, and that it is important for patients and their carers to receive the best care available and access to clinically effective drugs, when appropriate.

Adjourned at 5.28 pm.

NORTHERN IRELAND ASSEMBLY

Tuesday 25 September 2007

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

Members observed two minutes' silence.

PRIVATE MEMBERS' BUSINESS

Action on Child Poverty

Mr Deputy Speaker: The Business Committee has agreed to allow up to two hours for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to wind up. All other Members will have five minutes to speak.

One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes to wind up.

Ms S Ramsey: I beg to move

That this Assembly regards as unacceptable the current level of child poverty; and calls on the Office of the First Minister and the Deputy First Minister to confirm its commitment to the eradication of child poverty by 2020; and to provide an action plan with clear targets and measurable outcomes to ensure that all children are lifted out of poverty.

Go raibh maith agat. I welcome the opportunity to debate child poverty, as it is one of the most serious and pressing issues that our community and society face. I intend to ask the Deputy First Minister a range of questions, and I hope that he will answer them in the time available. If not, he will have a copy of the Hansard report and he or his officials can contact me either in person or by letter.

From the outset, I should say that I have no problem in accepting the SDLP amendment, and I hope that it and the motion will have clear support across the House.

At present, 124,000 children in the North live in poverty, and that figure is 3% higher than in 2006. Those children live in our communities and our neighbourhoods in families that are living on only 60% of the average family's income. They will go without many of the things that their friends take for granted, and they will experience the loss of dignity and choice that poverty too often brings. Moreover, those 124,000 children will do less well in school.

From their early years and through primary school, children who live in poverty are disadvantaged and do less well. Children who live in areas of high deprivation score less well on verbal skills and early number concepts. Moreover, at primary school, there are clear differentials in test scores between children who live in poverty and those from more affluent backgrounds. By the age of 11, almost 40% of pupils in deprived areas will have failed to reach level 4 at Key Stage 2, compared with 23% of pupils overall. Among children on free school meals, 30% get few or no GCSEs, compared with an average of 14% among all 16-year-olds. Even more concerning is the fact that, although that trend has continued for the past 10 years, little progress has been made on narrowing the gap.

Failure to help those children who live in poverty to do well in school has huge repercussions for their ability to find a route out of poverty. Those with few or no qualifications are twice as likely to be unemployed, and 50% of those who find work are in low-paid employment.

Living in poverty also affects children's health. Statistics produced by the Chief Medical Officer in June 2007 show that the infant mortality rate in the most deprived areas is 33% higher than the average in the North and that children born into poverty are four times more likely to die before the age of 20 than those born into more affluent families.

The rate of teenage pregnancy is much higher in areas of greatest social and economic deprivation. In the most deprived areas, seven out of every 1,000 girls aged 13 to 16 will give birth: in other areas, the figure will be two out of every 1,000. Teenage mothers and their babies face a much higher risk of infant mortality, low birth weight and post-natal depression.

The effects of poverty on individuals, families and communities make it essential for the Minister, on behalf of the Executive, to give a clear commitment to achieving the target of halving child poverty by 2010, on the way to eradicating it fully by 2020. Will the Minister provide that clear commitment?

Will he also confirm that children and poverty will be a priority in setting the public service agreements and funding allocations? In particular, can he assure us that the Executive will give the highest priority in their funding allocations to spending on various services for children and families? The amount that is spent on those services is directly related to poverty. That our child-poverty levels remain high is not unrelated to the fact that we spend a third less on children's services here than is spent in England and Wales.

Furthermore, will the Minister commit to reviewing the targets that are outlined in Lifetime Opportunities to address the needs of those children and families most in poverty and to putting in place the targets and funding

that are required to make that commitment a reality? The current range of targets is too general and unfocused to address the needs of those children.

The Assembly must be seen to take effective action on addressing poverty. For that to happen, we need a clear strategy and plan. Will the Minister confirm when that plan will become available?

We know that particular groups of children and families are much more likely to be living in poverty. Children from families in which no adults work are at most risk of severe poverty. A family of two children and two adults currently receives £204 a week in benefits, and a lone parent with two children receives £170 a week. Those benefit levels fall below the Government's poverty line. About 44,000 children live in severe poverty in the North, and they require urgent help to address their needs.

The Government should commit to putting in place a funding programme that will provide additional support and resources for children who live in the most severe poverty and in the most deprived areas to help improve their life chances. That could be done through the creation of children's zones, which, by co-ordinating a funding programme that addresses education, parenting, health and employment needs, would focus on improving children's life chances in specific areas. Such a programme would make those children in the most severe need the centre of help in their communities. Will the Minister commit to a programme of policy and funding that is aimed at creating children's zones to address the needs of children who live in severe poverty?

Other groups of children that are most at risk of poverty are those from families in which either a parent or an adult has a disability. Will the Minister confirm that new targets for the Lifetime Opportunities strategy will address the needs of families with disabilities? Specifically, will a programme of action consider and address the additional cost of disability, and review the opportunities for disabled parents and disabled young people to access training and employment as one mechanism to reduce the level of poverty?

Will the Minister confirm that, as well as the life-cycle approach undertaken in the Lifetime Opportunities strategy, the Office of the First Minister and the Deputy First Minister will co-ordinate a range of actions across all Departments to address, in a holistic way, the needs of those most likely to be in poverty?

In conclusion, I thank the Minister for his response to a number of questions during yesterday's Question Time, in which he set out the Office of the First Minister and the Deputy First Minister's commitment to addressing this issue. This is a timely debate, and I look forward to the Minister's response. Go raibh maith agat.

Mrs D Kelly: I beg to move the following amendment: Insert after "outcomes"

" , supported by a dedicated budget, "

I thank the proposer of the motion for accepting the amendment. I, too, welcome this important debate, which, in the light of recent tragic suicides, provides a timely reminder of the need for comprehensive action to protect our children and young people.

The welfare of children is a particularly significant issue for the Assembly. All the parties represented in the Chamber stood for election on the promise that they could do better for our young people than the direct rule Administration. Therefore, we cannot simply ignore this issue; we must ensure that it is in the mainstream throughout all the decisions that we take. We must be informed consistently as to the success of the actions that we take, and we must adapt and improve policies gradually if we are to have a chance of eradicating child poverty by 2020.

Yesterday, the Deputy First Minister acknowledged the statutory obligations of the Assembly, particularly those of the First Minister and the Deputy First Minister, with respect to the eradication of poverty and the provision of a more inclusive and equal society. I welcomed his comments; however, he failed to address the matter of a dedicated budget. Previously, the Lifetime Opportunities strategy had no dedicated budget and no clear evaluation process or action plan. That is another reason why the SDLP welcomes this debate and has tabled an amendment to tie down a dedicated budget.

If child poverty is not tackled on moral grounds, it should be tackled on economic grounds. Along with the shocking misery that child poverty entails, it creates a needless waste of resources, tying up health services with the treatment of preventable illnesses, resulting in underachievement in schools and greater reliance on state benefits. The SDLP has a proud record of prioritising the tackling of disadvantage, and that will remain its focus until all children can be assured of having their basic needs met and of the opportunity to develop their full potential.

The statistics are well rehearsed, and I want to address the significance of those statistics and the failure to begin the work necessary to remedy them. TSN and New TSN have not had dedicated resources, and nor has there been adequate accountability to ensure their effective implementation. Now, the Lifetime Opportunities strategy has no dedicated budget. The children's fund, which was established during the last period of devolution, has been scrapped. Children make up more than a quarter of the population; however, only a fraction of overall funding is spent on children's services.

We are not starting with a blank sheet: a substantial amount of work has already been done by the community and voluntary sector and, in particular, by

the Northern Ireland Commissioner for Children and Young People (NICCY), on the type of action plans and policies that are required. For example, in a briefing paper for MLAs, NICCY states:

“NICCY recommends an audit of existing spending within the new Trusts to assess if the needs of children and young people in Northern Ireland are being met in all Trust areas.

Assessing expenditure on children's health services proved extremely difficult as funding is often tied up with other spending across the community and hospital settings. In other research, NICCY has uncovered problems such as a post code lottery in the delivery of services such as speech and language; has identified areas of unmet need across Northern Ireland and has identified barriers in accessing services outside the Belfast area, in areas such as specialist mental health support and in the provision of sexual health services.”

NICCY recommends that further research should be commissioned into socio-economic inequalities in educational attainment, because it believes that the current policy is failing pupils from socially deprived backgrounds and that a change in policy is required.

10.45 am

An opportunity to further reduce the pupil:teacher ratio has been presented by the falling school rolls; and that is what should be recommended, rather than school closures. NICCY recommended that the Department of Education should develop and implement a policy of having smaller class sizes, as research has shown that that has a positive effect on achievement.

In 2005-06, £179 million was spent on provisions for children with special educational needs in Northern Ireland, and from 2005-06 to 2006-07, an additional £53 million was provided. Therefore, NICCY recommended that the Department of Education should measure and evaluate whether that funding has been spent effectively. As the sums involved are huge, there must be accountability, and it must be demonstrated that the special educational needs of children are being met.

Poverty is not just to do with lack of resources. However, our efforts will come to nothing without a dedicated budget to address that lack of resources. Equally important is the need to ensure that there is joined-up working on the issue in areas such as housing, health, childcare, social care, education and recreation. Tackling child poverty requires the focused attention of every Department in some way and merits teamwork on a scale that we never imagined through all our years of conflict and division. The whole point of having the Executive programme funds was to address the gaps and divisions between Departments and encourage interdepartmental working in a way that remains absolutely necessary.

Let the eradication of child poverty be at the top of our new political agenda, foremost among the aims of

our Programme for Government and central to our efforts to work together for our community.

Mr Spratt: I support the motion. As elected representatives, it is our duty to act now to better the lives of children. On many occasions, the House has discussed this issue and questioned the Office of the First Minister and the Deputy First Minister. Members are discussing the matter once again — it is an issue that will not go away.

As other Members have said, the current level of child poverty in Northern Ireland is unacceptable. It is also unacceptable that that level exceeds the rate of child poverty elsewhere in the United Kingdom. Although we can all agree that that is the case, and we can stand in the House and quote statistics, and say time and again that we find the current situation unacceptable, we have to ask what real action we are taking to actually make a difference to children's lives in Northern Ireland. The effect of poverty on a child's life is so widespread that we must ensure that everything possible is done to enable us to aspire to the 2020 target.

The effect of poverty on children is heartbreaking. For many families, the inability to afford a new school uniform has caused difficulties in the past month. The poor diet that is attributed to families in poverty contributes to high levels of obesity in children in Northern Ireland. Poverty affects the formative years of a young life and has been shown to increase the likelihood of exclusion from school and low educational achievement. Poverty affects an individual's entire life. With that in mind, we must ensure that every child is given the opportunity, regardless of social background, to reach his or her full potential.

More than 124,000 children are being brought up in poverty in Northern Ireland — that is 124,000 too many. It is quite clear that more must be done. First, we must reaffirm our aspiration to eradicate child poverty by 2020. To do that, we must get to grips with the root cause. In Northern Ireland, thousands of people have been lifted out of poverty in the past eight years. However, although that is welcome, a closer look at the statistics shows that those who benefited started just below the poverty line and those who were worst off have remained in the same position.

Child poverty is a manifestation of the more deep-rooted problem that is societal breakdown. Evidence shows that deprivation is often passed down through generations. If a family's income is benefits based, it is likely that the children of that family will grow up to be long-term recipients of benefits. Educational achievement follows a similar trend: if a parent has been a low achiever, a child is also likely to be a low achiever.

The keys to eradicating child poverty are to break such a cycle, to remove the dependence on the state, and to reinvigorate the family as an entity. Those goals

cannot be achieved by simply throwing money at either parents or children; the family unit must be repaired, the grip that crime and drugs have on communities must be broken, and education must be promoted. It is only when those measures, alongside measuring accurately the levels of poverty in specific areas and formulating particular policies to address them, are implemented that we will get to grips with the real root of the problem and have any chance of meeting the 2020 target.

I support the motion and the amendment.

Mr Elliott: Like other Members, I congratulate the mover of the motion for securing the debate on what is an important matter. I also congratulate the mover of the amendment. As we study the motion, it is important that we remember the definition of poverty as the Government accept it. That definition states that a child is deemed to be in poverty if the household income is below 60% of the UK median. I sometimes wonder whether that calculation will ever increase; if 60% is the accepted figure, obviously, a significant number of children will always be in poverty.

Using that definition, a recent Government report found that in Northern Ireland up to 120,000 children live in varying degrees of poverty, as has been mentioned already. If we add to that the number of children who are deemed to be living in deprivation, the figure increases to 160,000. Those figures are highly disturbing, given that in 1999, the Prime Minister pledged to end child poverty within a generation. A start has been made: in the UK as a whole, 600,000 children have been removed from states of poverty. However, more needs to be done, including here in Northern Ireland. If the targets of halving child poverty by 2010 and eradicating it by 2020 are to be met, action must be consistent and not dip in and out of dealing with the matter. Government policy must focus on such steady action.

It is important for us, as a regional Government, to choose a focal point from which to tackle child poverty. I mentioned the 120,000 children who live in poverty; however, that figure drops by more than 50% if the target group changes from including children living in general poverty to those who live in severe poverty. When we shift the focus, the number of children in Northern Ireland whose situations require what we would term immediate action decreases to approximately 44,000.

We must also ask what the difference is between immediate and longer-term action. Differentiating between levels of poverty does not take away from the overall problem. However, if we were to make such a differentiation, the Assembly and Executive could execute a more strategic plan to help those who are in the most immediate distress. To attempt to tackle an issue of this scale in a single move could lead to

miscalculations of judgement and prove erroneous in the long run. Child poverty is too important for us to make mistakes; therefore, if we break the challenge into sizeable pieces, we can be more efficient in our actions and more successful with our long-term aims.

Up to 1.5 million people in the UK live in severe poverty. History dictates that children born to parents who are in long-term receipt of benefits are more likely to be long-term recipients of benefits themselves. That point was highlighted by the previous contributor to the debate, Mr Spratt.

We must adopt a bottom-to-top approach. Based on the definition that I mentioned earlier, some 600,000 UK children who have been freed from poverty since 1999 began life just below the poverty line. We cannot forget about the poorest people in our country, and, by starting with them, our task will be made easier and we will make greater progress towards completely eradicating child poverty.

There have been several failings in the Government's attempts to deal with child poverty. Notably, the Government missed their own 2004-05 target of reducing child poverty by 25%. They have also failed to reduce the number of children who are in severe poverty, with one in five children in the UK still living in a persistently poor household. I wonder how many people in the wider community know what it is like for those children and households who live in poverty. Do those children sometimes have to go without the basic essentials of life such as the food and clothing that many in our community take for granted? Those children cannot have the essentials that the rest of us take for granted.

Mrs Long: I thank the Members who are responsible for tabling both the motion and the amendment. They have created the opportunity to debate this important matter. In common with many other Members, I became involved in politics not least because I wanted a fairer and more equal society, but I wanted governance whereby principles of social justice guide and underpin our decisions and priorities.

Any society is ultimately judged on how it treats its most vulnerable. Our response to child poverty is a tangible measure of our commitment to equality and social justice. The fact that levels of child poverty have risen in Northern Ireland in the past year provides a stark backdrop to the debate.

The UK Government introduced their strategy on child poverty — with a view to halving it by 2010 and eradicating it by 2020 — after the publication of the Joseph Rowntree Foundation study 'What will it take to end child poverty? Firing on all cylinders'. That study indicated that poverty in the UK remains higher in relative terms than in all but three of the other 24 EU member states, with around 2.5 million to 3.5 million

people living below the poverty line, depending on the precise measure that is applied.

The UK has one of the worst rates of child poverty in the industrialised world. In Northern Ireland, a range of contributing factors, including a higher-than-average cost of basic goods, such as fuel, food and clothing, the worst levels of low pay in the UK, higher levels of disability, and larger household size combine to make the problem particularly acute.

As the cost of accommodation in Northern Ireland, which was traditionally lower than the UK average, continues to rise rapidly, the financial burden on local families will be compounded further. Child poverty not only has massive implications for children who are raised in poverty, it has significant long-term implications for wider society. Educational low attainment not only stops a child from reaching his or her full potential — which is, in itself, a major failing — but restricts the ability of that child to maximise his or her earning abilities in adult life, thereby perpetuating the poverty gap through generations.

We cannot ignore the loss of revenue caused by missed taxes and the payment of benefits due to the reduced future employment and earnings prospects of those who grow up poor. Similarly, poor nutrition in childhood has a significant impact on life expectancy and the individual's long-term health, with all the personal and financial consequences for the individual and wider society that that entails. Investment in the eradication of child poverty is, therefore, not only a moral imperative, but makes good economic and social sense.

Poverty is often a hidden problem in Northern Ireland, and, as the gulf between rich and poor continues to grow, many people are struggling to reach a decent basic standard of living. If both parents are on benefits, their household income will automatically place them below the poverty line. However, sources have estimated that the majority of poor children — 54% — live in a household in which at least one adult is in work. That statistic is clearly linked to the low-pay culture that affects many families locally. In light of those figures, any reduction of the national minimum wage outside of London would clearly serve to push more families deeper into poverty, rather than lift them out of it, and must, therefore, be resisted robustly by the Assembly.

11.00 am

The second report of the House of Commons Select Committee on Work and Pensions on child poverty, from 2003-04, recognised that if the Government are to cut child poverty levels, they need to increase efforts across all the Departments whose responsibilities touch on the issue. As Deputy Chairperson of the Committee for the Office of the First Minister and the Deputy First Minister, I recognise that, although it is that Office's responsibility to formulate policy in those cross-cutting areas, the

responsibility for delivery more often than not lies with a range of other Departments and under the control of other Ministers.

We must, therefore, ensure collectively that an effective mechanism for scrutiny exists, not only of the overarching strategy, but of the individual contributions that Departments make in delivering on those objectives. Given that such co-ordinated action from a number of Departments is required, child poverty will be effectively addressed only if it is clearly identified as a high-level Executive priority. For that to be meaningful, the Executive must, at the earliest opportunity, formally endorse the targets that are outlined in the motion and formulate a clear strategy for the delivery of measurable outcomes, so that child poverty can be formally prioritised in the current Programme for Government, comprehensive spending review and budgeting round. Without a dedicated budget, we will be offering people little more than tea and sympathy, as Dolores Kelly said. Time is, therefore, short. We need to move on the issue urgently if we are to avoid condemning another generation of children to a childhood in poverty and a future of limited opportunities. I, therefore, endorse the motion and the amendment.

Mr Shannon: I support the motion and thank the Members who tabled it. The issue is close to my heart and to that of many other Members.

I begin with an example. A seven-year-old child slogs his way through the busy street, remembering to hold tightly the hand of his little sister. He carries her schoolbag through the door. She looks at him and asks, "Is there anything to eat?" He knows that payday has not come yet and there will be nothing to be found, so he says, "We are being healthy today — just water."

That sounds like an advert asking people to sponsor a child in Africa, but, in fact, that story is played out in the Province every day. That child is among the one in seven children who do not get three meals a day. It is as basic as that: children are going hungry and not getting the nutritional food that is vital to their health and development. They are given free school meals — in a surprising number of cases, that is the only decent food that they get each day.

What is poverty? According to Dictionary.com, it is:

"the state or condition of having little or no money, goods, or means of support; condition of being poor".

In Northern Ireland, that is the life of 29% of the children whom we represent — well over 100,000 people who are all too often hungry. That figure has risen by 3% since last year. Even more shocking, one in 10 children is growing up in "severe poverty", which equates to 44,000 children in the Province. If statistics are needed, they are clearly there.

Northern Ireland is known for its generosity in giving to the needy. Therefore, how is it that some of our own

are being neglected? That is a serious question that cannot be answered by citing any one factor. Basic items such as fuel, food and clothing are more expensive here than in other parts of the United Kingdom. The levels of pay are not as high here as they are on the UK mainland. Throw into the pot the fact that, by and large, families are larger here as well and the reduction in child support for each additional child leaves us with a meal that is not so palatable.

Few could argue with the statistics. If anyone is unsure that the situation is as bad as it is made out to be, they should talk to the teachers and dinner ladies, who see a lot. Talk to the youth workers in the Girls' Brigade or the Boys' Brigade: they will be able to point out a child or two who does not have it easy and for whom they bring in extra snacks and food. Some youth workers have told me that they have seen children who cannot afford the 50p weekly contribution and whose "I forgot" excuse is lost behind the embarrassment in their eyes.

Those kids should not be ashamed — they should be taken care of. A full stomach and clothes that fit are basic human rights that too many are not getting. It has been shown that families in which only one or neither parent works are at higher risk of living in poverty. Those are only some of the factors. As I have said before, if there is an illness or disability, whether mental or physical, the family is under more pressure and more strain to ensure that the affected person has what is needed, while the rest of the family scrape by.

It is said to be 25% more expensive to raise a child with disabilities, and yet the wages here are not high enough. Many parents have to leave work so that they can cope, and, therefore, the problems are compounded rather than eased. The rest of the children in the family lack attention and some necessities, as their parents struggle to give all their children some semblance of life.

Around 56% of households with one or more people with disabilities are living in poverty. That is also true when a family member has cancer. Cancer affects one in three people — and those statistics were mentioned in a recent debate. Many families do their best to keep their loved ones at home. They buy the necessary food, keep the heating on all day to ensure warmth, pay for hospital parking — sometimes for all day — take time of work and pay for prescriptions. That all adds to the emotional and financial problems of families already on the breadline.

Child poverty is a sad reality in the Province, and it must be addressed. We must implement a system to set goals to ensure the eradication of child poverty in this generation. That is not impossible — it can be done. We have a duty to help the 100,000 children who are living lives of worry and shame and with parents who are depressed about their lack of money. We are a

nation known for its generosity when disaster strikes other regions. Let us see to our own nation with the same mentality and honesty and do all that we can for our children. I support the motion.

Miss McIlveen: Figures vary on how many children are defined as living in poverty in Northern Ireland. Current Government figures from the family resources survey state that 130,000 children live in poverty. The households below average income figures for 2005-06 show that around 124,000 children live in poverty. Other sources place that figure in and around 100,000. Whatever the figure, it is clear that a problem exists.

'Severe Child Poverty in the UK', a report by Save the Children, revealed that 44,000 children in Northern Ireland experience severe poverty. That means that families are getting by on less than £7,000 a year, which is £12,000 a year less than the national average income. Such families feel socially excluded. Children living in such circumstances are not eating healthy food and are not living in well-heated conditions. Last week, the Assembly discussed the impact that fuel poverty has on children, and this debate goes hand in hand with that.

Children need to be given the appropriate launch pad in life: warm homes, healthy food, a quality education and job opportunities. That is the only way to stop the cycle of poverty and benefit Northern Ireland as a whole.

Save the Children has called for the following measures: the introduction of seasonal grants to help those families on low incomes to cover expensive times of the year; investment of £4 billion from central Government; an action plan on severe child poverty to ensure that policies are targeted at those in severe poverty; significant resources to promote take-up and knowledge of benefit and tax credit entitlements; and reform of the social fund to ensure that it is an effective anti-poverty tool. Those are noble, but short-term, measures that will address the symptoms but not the cause.

Northern Ireland has more of its population not in paid work than any other region in the UK: 30% of our working-age population are not in paid work. Amazingly, according to statistics from the labour force survey, only 7% of those people want to work.

Action must be taken immediately to assist those in severe poverty, but we must also be mindful of creating a benefit-reliant society and of creating the perception that people would be better off not working. There is no simple solution to the problem that we face in Northern Ireland. We need a comprehensive plan for addressing poverty, which must include, not only additional support for those most in need, but the creation of an environment in which those who are able to work, but do not want to, are persuaded to work and

acquire the appropriate skills and qualifications to contribute to society.

We also need to educate those children and young people about family planning so that they do not inadvertently fall into the poverty trap. The rate of teenage pregnancies for girls aged between 13 and 16 is three times the average. That is both a cause and a consequence of health inequalities and social exclusion. Childcare provision must also be reviewed to facilitate lone parents and those families whose non-working parent wishes to contribute a second income to the family. The barriers that prevent parents from obtaining and keeping employment must be removed.

I have not forgotten those people who cannot work. Some have been left scarred by our divided society, and others have long-term debilitating illnesses. Society has a duty to care for and provide as comfortable a life as possible for those people.

The Northern Ireland Executive are committed to halving child poverty by 2010 and to eradicating it by 2020. That is a huge task, and I look forward to hearing what plans the Deputy First Minister will offer to fulfil those obligations.

Mr Beggs: I support the motion and the amendment. I must also declare an interest as a member of the New Horizon Sure Start committee, which operates in Carrickfergus and Larne. I thank Barnardo's, Save the Children and the Assembly's Research Services for their guidance on this subject.

Recently, we failed to meet the UK target of reducing child poverty by 25% by 2006. There must be more than paper strategies to achieve that, and other, more ambitious, targets, by 2010 and 2020. Specific actions and monetary commitments are required to enable that to happen.

How can child poverty be eradicated? The Labour Government in Westminster laud the child tax credit as their main mechanism for eradicating child poverty. In 2004-05, they indicated that over £3,000 had been added to the incomes of qualifying families in Northern Ireland. Giving additional money is an easy way to lift children out of poverty. However, that is not within the gift of the Assembly, and, owing to budget gaps, unfortunately, it also seems to be difficult for HM Treasury to address.

Barnardo's has stated that barriers to work exist. The best way that I can see of tackling child poverty is for the Assembly to assist individuals into education and, ultimately, work so that they can reach their full potential and benefit their families.

On the subject of employment, Barnardo's has stated that there must be a review to examine the best way of supporting second earners into the labour market and that that support would be one more way

of lifting more families out of poverty. It also said that the introduction of the full jobcentre plus programme and the New Deal for families would enable more parents, particularly lone parents, to return to work. It is within the gift of the Assembly to make funding available for such a scheme in Northern Ireland.

A devolved Assembly is capable of other actions. Previously, there was the Executive programme fund for children and young people, which ended with the demise of the first Assembly. In 2006, there was a ministerial announcement of a funding package of £100 million for children and young people. With only six months until the end of that funding, which has enabled a great deal of positive work, there is concern in the voluntary and community sector because there has been no news of what will replace it. That funding is important because, on many occasions, it was cross-departmental and allowed Departments to think differently and work more effectively, so I hope that the Minister will be able to tell Members what will happen with that.

I have worked with other Members on the all-party group on children and young people. A recent letter from the Minister of Finance and Personnel stated that:

"Central funding streams, by their very nature, are intended to provide support to specific projects for a finite period only."

Funding would then be reassessed.

I wish to highlight the fact that it took a considerable time for a Sure Start group that I am involved with to make leasing arrangements with education and library boards and, after we had a building, to get staff. It takes time for such actions to bed in. Sufficient time must be given to determine whether the results are satisfactory. I hope that sufficient time will be given, so that the positive work of that scheme can be seen to bear fruit.

11.15 am

Education and parental support is the best way forward. Government must assist people to improve their children's lot, to give them better educational attainment and qualifications and, ultimately, to contribute to the economy. In that way, they will rise from their situation of poverty. I hope that funding will continue to be available to enable some of the most deprived children in our communities to reach a better level of attainment.

The Chairperson of the Committee for the Office of the First Minister and Deputy First Minister (Mr Kennedy): I apologise to the House and to the proposers of the motion for my absence during the earlier part of the debate. I am afraid that I was caught out by the change in timings.

As Chairperson of the Committee for the Office of the First Minister and Deputy First Minister, I welcome

the opportunity to debate this most important issue. In this day and age, the level of child poverty in Northern Ireland is deplorable and unacceptable.

The statistics paint a very depressing picture. In recent questions for written answer, the Office of the First Minister and the Deputy First Minister said that in 2002-03, approximately 26%, or 114,000 children, were living in relative income poverty. Although the figure was slightly reduced in 2004-05 to approximately 24%, or 101,000 children, the numbers are alarming.

A report published this year by Barnardo's also showed the severity of the problem by stating that:

"There are currently 100,000 children living in officially defined levels of poverty in communities across Northern Ireland.

A further group are living in severe poverty; around 44,000 children and young people will be missing out on regular items that the rest of the community see as essential".

The statistics are clear: the problem is huge, and action must be taken now.

Some people might say that action is being taken. Lifetime Opportunities, the Government's anti-poverty and social inclusion strategy for Northern Ireland, which was launched in 2006 under the previous direct rule Administration — and is, according to the Deputy First Minister's answer yesterday, being considered by the Executive — pledged to halve child poverty by 2010 and end it by 2020. Those are ambitious, and worthy, goals. However, questions are already being asked about the ability of the strategy to achieve them.

The Committee has raised the issue of child poverty with the Children's Commissioner and several organisations, and has identified it as one of its key priorities. The Committee's concern is such that child poverty will be the subject of its first inquiry, and terms of reference for that will be considered at its first meeting tomorrow.

Although I do not want to pre-empt the Committee's considerations and decisions on the shape of the inquiry, I hope that it enables us to focus on the capability of the current strategy to achieve its ambitious goals and that it will provide us with an opportunity to identify further key actions in the remit of the devolved Administration that can be taken to tackle child poverty. I also hope that the inquiry will be short and sharp, enabling the Committee to report to the Assembly on this most important issue at the earliest opportunity.

I welcome the commitment given by the Deputy First Minister in June that the anti-poverty and social inclusion strategy is an absolute priority for him and for the First Minister. The Committee will scrutinise the draft Programme for Government and the draft Budget to ensure that tackling child poverty has been given the cross-cutting priority that it deserves and that the necessary resources are provided to ensure that the

plans can be fully implemented. We will be looking for actions and resources that back up that commitment.

As an Ulster Unionist representative, my personal view is that, although the overall goals of the anti-poverty strategy are commendable, the lack of definitive short- and medium-term targets and actions and a detailed implementation plan means that the challenge that those goals present is unlikely to be met.

Specific areas of concern for me, with regard to the strategy, include the proposals for the development of only four children's centres. That number is, in my view, totally inadequate, and I hope that as part of the Budget discussions, the issue will be given much more priority and the planned number will be greatly increased.

As a former Chairman of the Committee for Education, during a previous mandate of the Assembly, I was keenly aware of the poor levels of numeracy and literacy skills, and the associated problems of educational underachievement.

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

The Deputy First Minister (Mr M McGuinness):

Thank you, a LeasCheann Comhairle. I thank all the Members who contributed to the debate. I welcome the opportunity to address the House on the important subject of child poverty, and, in doing so, I hope that Members will be reassured that both the First Minister and I take the issue seriously. Poverty, and particularly child poverty, is an emotive subject — and rightly so. Many of today's contributions were undoubtedly heartfelt.

Over 120,000 of our children are recognised as being in relative poverty. Of that number, almost half are from one-parent households. Furthermore, when the statistics are examined more closely, they show that, in addition to the 120,000, there are another 46,000 children deemed as being at risk of poverty.

Those figures equate to almost 28% of the total child population, which does not compare well to our European neighbours. The best figures in Europe are around 10%. Poland is worst off, coming in only marginally above our figures at 29%. Taken as a whole, the average in England, Scotland, Wales and the North is 22%. The average in the Republic of Ireland is around 23%. Those statistics are staggering, by any standards, and are an indictment of how we, as a society, have gone about tackling such issues in the past.

Statistics, though, do not tell the whole story. I want to take a moment to put those figures in context for Members, and to explain what being in poverty, or at risk of poverty, actually means to the individuals concerned. It means not having the money to provide for some of the basic necessities that the rest of us take for granted. It means not being in a position to take part in educational or leisure activities that are seen as developmental.

By way of an example, I will highlight a case study that recently came to my attention. A lone parent, who left her job because of childcare problems, recently said that she really has to watch her money. She cannot just walk into a supermarket and buy what she wants. She looks at what is on offer and what she can afford, not what is healthy. If the choice is a bag of apples or a packet of sausages and a loaf of bread, she chooses the sausages and tries to make a meal with them for a couple of nights. She struggles on her own with children, trying to get by. The children come first, and she copes by doing without.

At a time when everyone is looking to the Assembly to make a positive difference in their lives, it is vital that the Assembly does not lose sight of those in our society who are most in need and that we address that need as a priority. Child poverty cannot be considered in isolation. Poverty and all its manifestations are a blight on society and an issue that both the First Minister and I are absolutely committed to tackling.

When we speak of child poverty, we are talking about children in our society who live in families that have an income below, or close to, that considered as placing them at risk of poverty.

It is not too great a stretch of the imagination to recognise that lone-parent households feature prominently in that group. Some 45% of adults in lone-parent households are classed as economically inactive, a fact that practically guarantees that children from those families will be among the most disadvantaged in our society.

Consequently, we have examined factors which impact on lone parents and contribute to their social exclusion. That work has been greatly influenced by the policies and approaches taken in other jurisdictions that have shared their experiences through, for example, the British-Irish Council. That work is nearing conclusion, and I hope to report to the Executive on its findings and recommendations in the coming months.

Action to improve the opportunities and life chances of lone parents will undoubtedly have a significant impact on levels of child poverty here. Poverty is not just about income; as I have said, children from disadvantaged backgrounds are at greater risk of underperforming educationally and of suffering from poor diet and poor housing conditions. Together, these factors place the next generation at risk of not achieving its potential and, therefore, of not benefiting from economic growth and rising prosperity. Members must recognise that, in order to break the recurring cycle of inter-generational disadvantage, we need to tackle aspects of poverty and social exclusion that impact on society from childhood and throughout life. Tackling child poverty will ensure that we treat problems at

source and, I hope, prevent poverty, as well as providing a route out of it.

The Executive do not control all the policy levers necessary to tackle child poverty. Tax and benefit policies are not matters for this Administration, and it is generally accepted that tax credits, in particular, have greatly helped in reducing child poverty in recent years. We do, however, control many other important policy levers. In that context, we need to look at ways to maximise job opportunities and enhance the skills and education of those who can participate in the labour market; ensure that people get the benefits to which they are entitled; improve public services for all; and provide support for parents during key transition phases in the lives of their children.

It is, ultimately, for the Executive to agree on the priorities in tackling poverty. The Executive have a statutory duty to do so, specified in section 16 of the St Andrews Agreement Act 2006, which requires the Executive to:

“adopt a strategy ... to tackle poverty, social exclusion and patterns of deprivation based on objective need.”

Just prior to the restoration of the Assembly, Peter Hain launched Lifetime Opportunities, the Government's strategy for tackling poverty and social exclusion. That strategy was the result of the previous devolved Administration's commitment to review the New TSN policy work that had continued during suspension.

Prior to restoration, the shadow Committee on the Programme for Government looked closely at Lifetime Opportunities and took evidence from a wide range of stakeholders. The conclusions are important and the Executive must have regard to them when they decide the future direction of policy. In particular, the Committee felt that Lifetime Opportunities, which used a life-cycle approach, provided a good framework for addressing poverty and social exclusion. However, the Committee wanted to see it strengthened in a number of ways. It felt that the strategy and its main goals and priorities should be adopted by a restored Executive, but wanted to see greater emphasis on the specific needs of certain groups, such as disabled people and lone parents. The Committee agreed with the strong views of many from whom it took evidence that the strategy would be greatly improved with the adoption of specific short- and medium-term targets, action plans and indicators, so that progress in reducing poverty could be properly measured. The Committee also highlighted the importance of resources to implement the strategy properly and recommended that resources be skewed towards disadvantaged areas, including small pockets of deprivation and individual poverty.

In bringing specific recommendations to the Executive Committee, the First Minister and I will pay close attention to the conclusions of the shadow Programme

for Government Committee and the representations that have been made to us by organisations.

11.30 am

We are anxious to use this unprecedented opportunity to tackle the problem of child poverty once and for all. Although the strategic approach that we decide on will be important, ultimately, it will be the actions taken across the full range of Government programmes that will make the difference to people's lives. Those areas include education, health, employment, housing, transport and rural development.

Several issues were raised in the course of Members' contributions. Sue Ramsey mentioned the review of the targets in the Lifetime Opportunities strategy. As I have stated, the First Minister and I are examining Lifetime Opportunities with a view to bringing proposals to the Executive to discharge our statutory duty under the St Andrew's Agreement. Part of that process will be to examine the targets and indicators that we set to tackle poverty.

Dolores Kelly referred to a dedicated budget, which is the subject of the amendment. I want to ensure that resources and efforts are targeted to help those most in need. The Executive must agree on priorities for tackling poverty to secure the best results for all children. The process of agreeing the Programme for Government is well under way and will be subject to Executive approval. All Ministers, including Margaret Ritchie from the SDLP, will be involved in implementing the Programme for Government, and the amendment will be noted by all Members of the Executive as that work goes ahead.

I welcome the interest in child poverty from the Committee for the Office of the First Minister and the Deputy First Minister, of which Danny Kennedy is Chairperson. I look forward to the outcome of its inquiry, and I will be happy to consider its findings as part of our considerations for the Lifetime Opportunity strategy.

Along with a number of other Members, Dolores Kelly mentioned educational disadvantage and the work undertaken by the Northern Ireland Commissioner for Children and Young People, Patricia Lewsley. The First Minister and I have met with the Commissioner, whose work is undoubtedly valuable, and whose relationship we believe to be important. Dolores Kelly also mentioned accountability as regards special educational needs, which ultimately comes back to the Assembly, and the electorate.

Jimmy Spratt spoke about low educational achievement, and how poverty affects children, particularly in relation to obesity. He also spoke about the root causes of child poverty and the need to break the cycle of poverty, with which I agree.

Naomi Long explained eloquently that her motivation in opting for a political career was to improve the living circumstances for citizens, particularly the most disadvantaged. I have no doubt that every Member of the Assembly is driven by the same motivation and that all Members are anxious, not just to debate the issue of eradicating child poverty, but to make real progress.

Jim Shannon spoke in a heartfelt way about how unemployment affects child poverty, and described the difficulties, and the cost, borne by cancer sufferers and those with mental and physical disabilities when attending hospital services. He spoke about the duty all of us must recognise to do everything that we can for all children, with which I agree absolutely.

Michelle McIlveen mentioned those who are unable to work due to illness and other circumstances. Members are conscious of how that can affect citizens. I agree with everything that Roy Beggs Jnr said when he spoke about the need to encourage more people to become economically active and the importance of Sure Start and education.

In conclusion, the First Minister and I want to see child poverty halved by 2010 and eradicated by 2020. I want to see child poverty prioritised in the public service agreements. The First Minister and I assure Members that in our recommendations to the Executive Committee, we will stress the need to set clear targets and measurable outcomes, and implement specific actions through departmental programmes.

With continued economic growth and political stability, there is possibly the best opportunity that there has been for decades to lead the fight against poverty and social exclusion. I assure the House that the First Minister and I intend to take the matter forward as a top priority.

Mrs M Bradley: I support the amendment. I want to acknowledge the contribution that Members have made to the debate. Different Members discussed different aspects of child poverty, but we all have the same view. The Assembly is at one on this important matter, and I welcome the Deputy First Minister's attendance at the debate.

Poverty has wide-ranging consequences for families. It causes stress, depression and suicide, which can be attributed to a lack of self-esteem, self-respect, life achievements and goals. The economic situations of many must be improved. As politicians, we must not ignore people's basic rights to live a content, happy life and to have enough to get through without hardship and long-term financial worries.

Shantallow is an area in the Foyle constituency, which I represent, where the level of deprivation is at 70%. It is neither good nor decent for people to have to live in those circumstances. When he was the Deputy First Minister of the last Assembly, my party leader

created the children's fund. Sadly, it was removed during direct rule. It must be reinstated.

I welcome the Deputy First Minister's comments. However, I am somewhat disappointed that he told the House that budgets would be noted. That is not enough: there must be a guarantee from the Deputy First Minister.

Dolores Kelly said that the Assembly is not starting from scratch: the Northern Ireland Commissioner for Children and Young People's report has given it a good starting point.

Sue Ramsey seeks clearer targets, and she gave the House many statistics.

Jimmy Spratt said that every child deserves the same opportunities.

Tom Elliott wants child poverty to be eradicated.

Naomi Long discussed high levels of disability, poor nutrition and its effects on health. She also referred to the gulf between the rich and the less well off.

Michelle McIlveen mentioned the warm homes scheme and low incomes. She said that funding of £4 million from central Government is essential and that there must be a comprehensive plan.

Jim Shannon mentioned larger families and said that Members should talk to teachers and dinner ladies to get a feel for the poverty that exists: some children cannot afford to bring 50p to school and thereby miss out on certain activities.

Roy Beggs said that sufficient time must be given to allow plans to work, and he asked that funding be continued.

Danny Kennedy said that child poverty is one of the most important issues in society and that it is deplorable that it is at such a high level in Northern Ireland, where one in five children lives in poverty.

The Deputy First Minister told the House that he takes the matter seriously. I do not doubt that. It is terrible that some people do not have enough money to buy necessities that are taken for granted by others. The Minister said that he recognises that and that budgets will be noted. However, the Assembly wants guarantees. His attendance at the debate is welcome. I thank everyone who took part. It was a useful debate and shows that the Assembly is trying to work together for a common aim. When that happens, it is successful. Politics does not come into the situation when there are children going hungry. I am glad that there is consensus on this, and I hope that the Assembly's aims will be achieved.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún.

Mary Bradley is correct: it has been a good debate, which has shown that there is a desire among Members to eradicate child poverty. I welcome the motion and

the focus that it has brought to the issue in the Assembly. The Minister has given it particular attention. There is consensus that the issue must be dealt with and progress made.

I also remind Members of the failure to address properly the poverty that so many children and families in our communities experience. That failure means that those children are not ready to participate fully in schools; therefore, they feel that they have failed in education. It is for us, not them, to improve their lives. It also means that children leave school with few, or no, qualifications, and that they cannot — or will not — see a clear route to a better future through productive learning. Every Member who spoke in the debate touched on that point.

Jim Shannon talked about the humiliation experienced by children who have to make excuses for not having money to pay for school activities. None of us can ignore that. The failure to address poverty also means, as most Members said, that children will suffer ill health and will be at greater risk of having accidents. They will also be at risk of being part of the increasing rate of teenage pregnancies that is prevalent in the most deprived areas. Teenage pregnancies often result in a cycle of poverty and social exclusion. Parents who face generational poverty, to which Jimmy Spratt referred, have not found a route out of their poverty, and we must provide that route for them.

What does all that mean? It means that good policies can make a difference. The Assembly — and the Executive in particular — can begin to implement specific measures that will address the needs of people here who live in long-term poverty. It means that we should make clear commitments to achieve the targets of, first, taking 50,000 local children out of poverty by 2010, and, secondly, eradicating all child poverty by 2020.

We must create opportunities to make children who live in the most deprived areas ready for school and able to achieve when there. It means that it is essential that we implement and invest in the kinds of initiatives that will have an impact on all the problems that I have discussed. It also means that we need to fund initiatives that will allow children in the most deprived areas to achieve educationally and will permit social development. As Sue Ramsey mentioned, we must create specific children's zones. That will involve commitments from many Ministers, including the Minister for Social Development; the Minister of Health, Social Services and Public Safety; the Minister of Education; and the Minister of the Environment. However, we all have a responsibility in the matter.

Funding strategies need to be initiated to assist lone parents to get back to employment by providing them with the correct support, advice, and, importantly, access to affordable childcare and transport. Again,

those strategies will involve the Executive. It means focusing on those families that are most at risk. In particular, we need to look at the kind of support that is needed to allow disabled parents to have access to work and to enable young disabled people to receive meaningful training and gain employment.

We need to focus on how we can help low-income families at those times of the year when they face financial difficulties. Many families who receive free school meals find that school holidays are a time of survival. Making once-a-year — or twice-a-year — payments to poor families at those difficult times could make a significant difference to their quality of life.

We are talking about the eradication of child poverty. Naomi Long is 100% correct when she says that we must use terms such as equality and social justice when talking about child poverty. We must consider the matter in a human-rights context. The cost of living is higher here, and we have higher levels of disability, and increasing accommodation costs. Many families, through lack of affordable or social housing, have to find private accommodation, often having to pay the rental shortfall themselves. That in turn puts additional pressure on them.

Geographically, we have more areas of deprivation and more areas that face higher and multiple levels of deprivation. For example, people who live in areas of multiple deprivation and interface areas also experience higher levels of violence, suicide, and self-harm. As Dolores Kelly, Mary Bradley and other Members have mentioned, those people may experience reduced self-esteem and self-confidence. We must examine the links between poverty and ill health, and between poverty and poor emotional health.

11.45 pm

Michelle McIlveen spoke at length about the Save the Children research, and all that research is simply sitting there. We need to take action and remove the barriers. Danny Kennedy talked about that in his capacity as Chairperson of the Committee for the Office of the First Minister and the Deputy First Minister, and as a party member. There are concerns about the lack of childcare centres across the North.

The Deputy First Minister, on behalf of the Office of the First Minister and the Deputy First Minister, spoke about people not having the means to provide the basic necessities, and that often means having to choose between heating or eating — particularly at this time of year. We talked about that in the Assembly last week. It also involves having to make other choices — for example, the choice between spending money on basic necessities or on healthy food, or on leisure activities that many of us take for granted, such as swimming. It is a constant struggle. We cannot look at child poverty in isolation — we must look at the

benefits system and whether aspects of it may need to be reformed.

The St Andrews Agreement talked about child poverty, social exclusion and the need to deliver services based on objective need. Resources will have to be skewed to take account of that objective need.

I agree with other Members' remarks that we must go beyond the sentiments of these debates, worthy though they are. We are here to take part in such debates, but action needs to be taken, too. I welcome the input of all the Members today. We must consider how we can eradicate child poverty, and the Assembly must monitor any action taken. We must ensure that we move forward to improve the lives of all our children, not just some, and ensure that they are protected and cherished. I support the motion, as amended.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly regards as unacceptable the current level of child poverty; and calls on the Office of the First Minister and Deputy First Minister to confirm its commitment to the eradication of child poverty by 2020; and to provide an action plan with clear targets and measurable outcomes, supported by a dedicated budget, to ensure that all children are lifted out of poverty.

Mr Deputy Speaker: Members will know that the Business Committee has arranged to meet at lunchtime. I propose, therefore, by leave of the Assembly, to suspend the sitting until 1.30 pm, when the Minister for Regional Development will make his statement.

The Minister for Regional Development (Mr Murphy): On a point of order, Mr Deputy Speaker. I accept that it is up to the Business Committee, in conjunction with the Speaker's Office and the Business Office, to structure the business for the day. However, could you perhaps advise the Business Committee that both the Minister of the Environment and I are available to make our statements. It is not through our activity, or inactivity, that the statements cannot be taken before the lunch break.

Mr Deputy Speaker: I thank the Member for his point of order, and the Business Committee will be notified of his remarks at 12.15 pm.

The sitting was suspended at 11.48 am.

On resuming (Mr Speaker in the Chair) —
1.32 pm

MINISTERIAL STATEMENT

North/South Ministerial Council: Transport

Mr Speaker: I apologise to Members for the absence of the Deputy Speaker.

I have received notice from the Minister for Regional Development that he wishes to make a statement on the North/South Ministerial Council meeting on transport.

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a Cheann Comhairle. In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following report on the third meeting of the North/South Ministerial Council (NSMC) in the transport sector, held in the Manor House Hotel, Killadeas on 14 September 2007.

The Executive were represented by the Minister of the Environment, Arlene Foster MLA, and me. The Irish Government were represented by the Minister for Transport and the Marine, Noel Dempsey TD. The Council noted and welcomed the progress made since the previous meeting in April 2002 and the opportunity to meet to discuss opportunities for cross-border co-operation in strategic transport planning and road safety.

The Council discussed the steps necessary to make progress on the A5 and A8 major road projects. Members will be aware of the Irish Government's intention to make £400 million available to help fund the provision of dual-carriageway standards on routes in the North serving the north-west gateway and, on the eastern seaboard, the completion of the dual-carriageway corridor from Belfast to Larne. I welcome that substantial investment, which will help fund an unprecedented package of major road improvement schemes in the North.

The dualling of the remaining sections of the A8 on the eastern seaboard corridor will provide an improved connection between the ports of Larne, Belfast, and indeed, Dublin. A dual carriageway from Derry to the border at Aghnacloy will provide an immense economic opportunity for the north-west. Journey times between the north-west and Dublin will be significantly improved, and road safety will be enhanced. Those projects, combined with the current dualling programme on the A6, will greatly improve transportation links between Ireland's major cities.

The Council agreed the steps necessary to make progress on the A5 and A8 projects. It agreed the payment process, taking into account that progress on the A8

will be the responsibility of the Executive and their agencies. The Council also agreed to the formation by October 2007 of a management structure for the A5 project to evaluate and monitor progress as required, and the early appointment of consultants to enable a route corridor study of the A5 to commence.

The Council noted and welcomed the Irish Government's intention to fund the replacement of cross-border bridges at Annaghroe and Knocknaginny on the Tyrone/Monaghan border. The replacement of those bridges will enhance cross-border linkages and the social and economic well-being of the immediate vicinities on both sides of the border. Construction work is expected to begin in 2008, and Roads Service will play its part in improving approach roads in the North and co-operate closely with Monaghan County Council officials to ensure that work is co-ordinated.

The Council noted the Irish Government's proposal for the construction of a bridge at Narrow Water, linking County Louth and County Down. The Irish Government have granted funding to Louth County Council to undertake preliminary technical work on that proposal. They will keep the matter under review and will draw on the results of the technical work when they are available.

The rail link between Belfast and Dublin is a key service, joining two major population and commercial centres. The link is designated as part of the Trans-European Network of rail services across the European Union. The success of the current service is a credit to the close working relationship that exists between Northern Ireland Railways and Iarnród Éireann. That continuing co-operation will be invaluable in bringing about further improvements to the service.

The Council noted the discussions that were taking place between Iarnród Éireann and Translink on plans for the further development of the rail link, and it agreed to consider the outcome of those discussions at the next NSMC meeting in the transport sector. Any such development will include options for the short and medium term, including limited-stop services, hourly frequency, removal of speed restrictions, and introduction of new rolling stock. The timing of the implementation of those plans will also be considered, and they will be phased in to take account of the availability of resources and the operational issues that are involved.

The Council recognised the importance of transport services to cross-border communities, and it welcomed the fact that the Department of Transport and the Marine and the Department for Regional Development were jointly supporting research into that area. That study is intended to help us to understand the barriers that exist to the development of cross-border community transport and to identify the level of demand and need for those types of services. It should also point to actions that

can be taken to encourage cross-border co-operation in the provision of services.

The Council noted that the report from the study is expected to be completed soon, and it agreed to consider the recommendations of that report at the forthcoming meeting of the NSMC in the transport sector. The Council agreed that the next meeting of the North/South Ministerial Council transport sector should take place in December 2007. Go raibh maith agat.

The Chairperson of the Committee for Regional Development (Mr Cobain): I thank the Minister for his statement. It raises a number of interesting issues that I am sure the Committee for Regional Development will want to discuss in more detail.

What contribution will the £400 million make to the overall cost of the A5 and the A8? How does the Minister plan to manage the construction and land-price inflation of those schemes, which are big issues for the Committee? Will he describe the remit, responsibilities, and membership of the management structure that he proposes for the A5 project?

Mr Murphy: Although the Irish Government will contribute to the construction of both roads, the management and payment structures mean that that Government will contribute to the building of the A5 on the understanding that the Northern Executive will contribute to that of the A8. Details on how much those will cost will emerge from the route-corridor study, which will show how land is owned in what will be the final corridors for both roads. Therefore, the final figure for the cost of the roads will not be known until that study has been completed.

The A5 project involves North/South interfaces in at least two parts of the road. The cross-border steering group, which has been in existence and has been dealing with cross-border projects since 1999, has the same type of management structure that was in place when the A1 Dundalk to Newry road was successfully delivered. That type of management structure involves the National Roads Authority, county councils and Roads Service. The proposition is to proceed with the A5 project on that same basis. The group will convene next month, and it will begin to work with consultants in developing the route options. That work will in turn identify more closely the cost of the project.

Mr Dallat: I thank the Minister for his statement, particularly the reference to the Dublin to Belfast rail link, given that improvements are needed on that link. What plans are there to begin serious discussions on the future of the Belfast to Derry line as an obvious extension to the Trans-European Network?

Mr Murphy: There was a substantial discussion on the improvements that could be made to the Belfast to Dublin line, and both Administrations expressed a desire to move towards an hourly service.

The Belfast to Derry line was not on the agenda. However, the Member will be aware that the Department has submitted a bid to upgrade the line, which is an improvement on the previous position when, under direct rule, it was decided merely to maintain that line. The Department's proposed upgrade will form part of the Budget discussions later in the autumn. I hope that the bid will be successful.

The Department's intention is to invest in the railways, because it is clear that where such investment has been made, passenger numbers have increased, which also makes an environmental contribution. Although the subject was not on the meeting's agenda, it is prominent on the Department's agenda.

Mrs Long: After the First Minister and the Deputy First Minister made their statements, I asked them about the Derry line. There is particular interest in that line because of its implications for tourism in the north-west and its strategic link to Donegal. I am interested to know whether it is intended to extend the line, acting on a cross-border basis. Having such good transport links would mean that benefits should accrue from the Republic of Ireland's side too.

Mr Murphy: Members keep asking me about a rail connection into Donegal, but I have yet to hear the Southern Government mention it. People in the north-west are, generally, keen on the idea. They told me that there was once more railway track in Donegal than in any other county in Ireland, and now there is none.

People in the north-west, on both sides of the border, strongly desire that the connection go through to Donegal. However, my Department's priority is to try to invest in the line from Belfast to Derry. I am not being partitionist in my approach — far be it from me to be so. However, other than a general desire expressed by people in the area, the Department has not yet officially heard from the Irish Government whether they have any plans to invest in a railway line in Donegal. I know that they are rolling out a strategy over a considerable period that includes some ambitious plans. I am happy to discuss the subject with them. The Department wants to invest in the Belfast to Derry line and is keen that there should be investment in rail and other forms of transportation.

Mr Kennedy: I thank the Minister for his statement. He referred to the replacement of cross-border bridges on the frontier between County Tyrone and County Monaghan. Given the strength of local opposition to current Government plans for the bridges, particularly the one at Annaghroe, will the Minister undertake to meet local associations and groups and give due consideration to their concerns?

The Irish Government appear to be making all the running on the proposed Narrow Water bridge project. The Minister is aware of the concern in many quarters

about the provision of a bridge at Narrow Water, not least of which is the concern of Warrenpoint Harbour Authority. Its stated preference is for the more sensible proposal, of which I know he is aware, for a Southern relief road to deal effectively with cross-border traffic and traffic going to, and leaving from, the busy port of Warrenpoint.

Will the Minister tell the House which of those two projects his Department supports? Will he move, albeit belatedly, to dampen the enthusiasm for the development of a bridge at Narrow Water that would clearly be incapable of solving the road problems that affect Newry, Warrenpoint and cross-border traffic?

Mr Murphy: I agree that it would be beneficial to hold a public consultation exercise on the bridges between Monaghan and Tyrone. However, the proposals must be sufficiently developed to allow that to happen.

Monaghan County Council is going through a tendering process to select an appropriate consultant to take forward the design of those projects. When preliminary proposals have been sufficiently developed, the Roads Service in the North will hold a public information day towards the end of the year to allow for public consultation on the projects.

1.45 pm

In relation to the proposed bridge at Narrow Water, the Executive, in agreeing the Council's papers, took note of the fact that the Dublin Government are paying for a technical study to be carried out through Louth County Council. We will take account of those findings when the study is completed. A study is also ongoing into the traffic situation around the southern end of Newry and, particularly, the traffic that is generated by Warrenpoint port and by commuting traffic on the Southern side of Newry. The Roads Service has undertaken that study, and it has been going on for some time. However, it will be completed in the spring.

Members mentioned that the officials who are conducting both studies should share their information, so that they are aware of each other's studies. Those studies are not competing projects, as that would lead us into negative territory. There are desires on both sides of Carlingford Lough for a connection to be made so that people will not have to travel through Newry. Some of those desires relate to tourism potential, because a connection at Narrow Water would have an impact on tourism in the Cooley Peninsula, the Mourne, and the eastern seaboard generally. There would also be an economic impact for south Down, as strategic traffic could link directly to the A1/M1 road. We should examine the studies as they develop and see where that takes us, rather than getting into the situation of having competing projects.

The Irish Government have indicated their desire to build a bridge at Narrow Water, and they are engaged

in a study, through Louth County Council, to bring forward thinking on that. We should consider that, and consider traffic surveys on the Northern side of the border to try to come up with a project. We should not close our minds to anything at this stage. We must consider a way forward that will deal with all the concerns, including tourist traffic, strategic traffic, port traffic and congestion issues in and around Newry.

Mr P J Bradley: The Minister has partially answered my question. I thank him for his statement and for the meeting that he facilitated last week with business people from South Down who support the bridge project. As the Minister rightly said, the project is threefold. There is a social dimension to it. My office is about half a mile across the water from Omeath, yet I do not know anyone in Omeath or in the Cooley Peninsula. From a social perspective, we simply do not know our neighbours.

Reference was made to the economic impact of the project. Last week, we met members of the business community who were large-scale investors in the area. One investor had vehicles going daily to Dublin; another proposes to build a 60-bedroom hotel with chalets; and another is building chalet accommodation to support his already existing hotel. So, from an economic point of view, there is a great need for a bridge.

I do not expect the Member for Newry and Armagh Danny Kennedy to know Warrenpoint, because he does not live near there, but I differ with him regarding the traffic in Newry —

Mr Kennedy: Is there a question?

Mr P J Bradley: There is no question yet, but there will be one.

Mr Speaker: Order.

Mr P J Bradley: I am merely providing information for the Minister. A bridge at Narrow Water would divert traffic from the centre of Newry, as it would make its way to the south and west of Newry by crossing the bridge and travelling via Carlingford or past the Carrickdale Hotel. I do not wish to put the Minister on the spot, but will he go on record to state his commitment to the bridge, specifically at this time? I am conscious of the Minister's earlier answer, but I presume that he is not against a bridge at Narrow Water.

Mr Murphy: The Member has rehearsed the arguments that he and others made to me at a meeting about the bridge, and I accept them. As I told him at that meeting, I have heard arguments from others who have different priorities in that area, such as access and transportation. It is incumbent on us to consider all the arguments and decide how best to develop them.

The present position — which was agreed by the Executive, and subsequently by myself, the Minister of the Environment, and the Minister for Transport and the Marine in the South — is that the North/South

Ministerial Council has noted the Irish Government's desire to bring the project forward, and its contribution to a study on the project by Louth County Council. We have undertaken to look at the issues that are reported in that study. That is the position that was agreed before and after the North/South Ministerial Council meeting, and that is where we stand.

Mr Beggs: I thank the Minister for his statement, but hope that he can provide some further detail.

In the early part of his statement, the Minister said that the necessary steps to progressing the A5 and A8 major-road projects were discussed and later agreed, along with the payment process. Will the Minister tell the House what those necessary steps are? What are the payment processes? More importantly — for commuters, road users and those who live along the route — what is the time frame for completion? Is it five years, 10 years or 20 years? Such basic facts should be in the public domain.

Regarding the Trans-European Network, the Minister said that there was discussion about the Belfast to Dublin rail link. Was there discussion about improving the Larne to Belfast section of the Trans-European Network, where there are speed restrictions and old rolling stocks?

Mr Murphy: The Member will appreciate that there was a formal agreement between the Executive and the Dublin Administration — that the A5 and A8 road projects would benefit from a £400 million injection from the South towards their construction — at the plenary meeting of the North/South Ministerial Council in Armagh, and that that was the first opportunity for such an agreement. The two projects are linked together to go forward. That was the beginning of the process. In addition to establishing a study group to identify the right options on the A5 project, we agreed that because there is a joint-management arrangement for the A5 project, it makes more sense for the Southern Government funding to go directly into that project, on the understanding that the Executive in the North and its agencies will fund the A8 project. The two projects are linked in that regard, and that is the present situation.

Identifying the right options, the costs and the time frame of the A8 and A5 projects will now gather pace, and progress can be reported as we go along. The quick and simple answer is that we do not know how long the projects will take; it can take a project six years from design stage to completion through the statutory process. There was agreement in July that the two projects will go ahead. Regarding payment options, the agreement is that the Irish Government funding, for ease of dealing with it, will go directly into the A5 — that does not mean that money will not go into the A8 project.

The Department is investing in railways and stock, which has improved usage. I realise, and heard in a previous debate, that there are criticisms about the stock available on the line to Larne. Where we can secure investment, we will continue to invest in railways to improve the tracks, the frequency of service, and the comfort that people expect when they use the service. That is part of the Department's bidding process when trying to get projects supported.

I assure the Member that the Department's commitment to investing in railways is real, and I hope that he understands that over time we will be able to give more detail about the road projects as they are developed. That is the funding arrangement for the road projects.

Mr Speaker: That ends the statements to the Minister for Regional Development.

I remind Members that when they respond to a ministerial statement, they must ask a question. It has almost reached the point where some Members want to make a statement in the House as well, and that in that statement there may be a question. It is important that Members ask questions and do not make statements.

MINISTERIAL STATEMENT

North/South Ministerial Council: Road Safety

Mr Speaker: I have received notice from the Minister of the Environment that she wishes to make a statement on the North/South Ministerial Council (NSMC) meeting on road safety.

The Minister of the Environment (Mrs Foster): In compliance with section 52 of the Northern Ireland Act 1998, I will make a brief report on road safety issues addressed through the third meeting of the NSMC in the transport sector, which was held in the Manor House Hotel, Killadeas on 14 September 2007.

As already stated, the Executive were represented by the Minister for Regional Development, who chaired the meeting, and myself. The Irish Government were represented by Noel Dempsey TD, Minister for Transport and the Marine.

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

The Council noted and welcomed the progress that has been made since the previous meeting in April 2002 and the opportunity to meet to discuss the potential for further co-operation on strategic transport planning and road safety. The Council discussed the position on road safety strategies and noted that a review of the existing Northern Ireland road safety strategy had been initiated, and that a new strategy was likely to be submitted shortly to the Minister for Transport and the Marine for consideration in the Republic of Ireland. The Council noted that mutual recognition of driver disqualifications between the United Kingdom and the Republic of Ireland was expected to be in place by mid-2008.

The Council noted that a study into co-operation between the United Kingdom and the Republic of Ireland on the mutual recognition of penalty points was currently under way. It also agreed that efforts to promote road safety through joint advertising and publicity campaigns should continue and that the available evidence on the effectiveness of the existing approach should be reviewed.

The Council also agreed that work should continue through the Steering to Safety project to find practical ways of improving road safety in border areas. Furthermore, it agreed that, where possible, the results of relevant road safety research should be shared and that opportunities for improving and harmonising arrangements for collecting, collating and reporting road safety information should continue to be explored.

With your indulgence, Mr Deputy Speaker, I want to mention the latest tragedy on our roads, which occurred in Enniskillen this morning. I understand that one young man has died and a number of other people

have been injured, and — as I always do — I offer my condolences to the family and friends of the victim. That tragedy reiterates to me the need to continue with our work on improving road safety — work to which my Department and I are committed. I also pay tribute to the emergency services, which, I understand, had a difficult job this morning, and I assure them that Members appreciate all that they do.

Mr Weir: I thank the Minister for her statement. Are there any plans to introduce mutual recognition of vehicle test certificates?

Mrs Foster: There are no plans for mutual recognition of vehicle test certificates. Vehicle testing arrangements here and in the Republic of Ireland differ in a variety of ways. The main difference is that vehicles in Northern Ireland are tested after four years, and every year thereafter, whereas those in the Republic of Ireland are tested after four years, and every two years thereafter. The longer interval between tests in the Republic would represent a significant barrier to mutual recognition, even if such a proposal were on the table. It would also be likely to encourage motorists here to go to the Republic of Ireland for vehicle testing, and that could have implications for test fees in Northern Ireland and, more significantly, for road safety. A recent report by the Department for Transport in Great Britain indicated that a two-year interval between tests would mean more unroadworthy vehicles, more road traffic collisions attributable to vehicle defects, and ultimately — and significantly, I would say — more deaths and injuries on our roads.

Mr P Ramsey: I welcome the Minister's commitment, and that of both Governments, to harmonisation, collaboration and co-operation. However, will she consider setting up an all-island road safety body? I ask that as a Member who represents a cross-border area and as someone who has a personal interest in the issue, as my brother and his wife were killed by a drunk driver in Donegal. I also have a personal interest, because my neighbouring council in Donegal has one of the highest rates of road traffic-related deaths and serious injuries. An all-island body — especially one that included victims' groups and which co-operated in the sharing of information — would be important in reducing the number of road deaths.

2.00pm

Mrs Foster: I thank the Member for his question, and I understand his special and ongoing interest in this matter. The Member will be aware that the Assembly very recently set up an all-party working group on that subject, and I hope in the near future to discuss with its members all the issues that they raise.

In my statement I mentioned the Steering to Safety project, under the umbrella of Co-operation and Working Together (CAWT), which is carrying out a cross-border

road traffic collision research project. That organisation is effective, in that it has already published five detailed research reports and one summary report. The project is now moving forward from developing the evidence base to considering practical steps to dealing with road safety in border areas. That is, perhaps, what the Member wanted to know.

I understand that CAWT is organising a conference on 9 October, in Dundalk, specifically to examine the issue of young drivers. The Member will know that in border areas, Northern Ireland and the Republic of Ireland, the 17- to 24-year-old age group is an increasing problem that needs to be dealt with effectively.

Mrs Long: I welcome the Minister of the Environment's statement, and particularly welcome the co-ordination between the two jurisdictions. That was discussed at the meeting of the all-party Assembly group, to which the Minister referred extensively at lunchtime.

Following the mutual recognition of driving disqualifications target of mid-2008, are there any plans to extend that to other European countries, given the amount of mobility that now exists in Europe?

With regard to the mutual recognition of penalty points between the UK and the Republic of Ireland, co-ordination between Northern Ireland and GB on the matter is currently poor. Residents of Northern Ireland who commit motoring offences in GB have to present themselves in court in GB because their driving licences cannot be processed there as they are issued in Coleraine, rather than in Swansea. A proper, joined-up arrangement needs to be given attention.

Mrs Foster: The work that the Department is doing on recognition of driver disqualification between the UK and the Republic of Ireland was actually initiated in Europe. Our two nations will be the first two areas to have that mutual recognition, so we are leading the way on recognition in Europe. I hope that we will be able to look at other areas, once that is in place; however, the Member will appreciate that these are the two most urgent areas.

The mutual recognition of penalty points is a more complex issue, and there are additional difficulties, one of which is the problem of licences that are issued by Coleraine and not by Swansea, as the Member mentioned. We hope soon to receive the results of the feasibility study carried out by the Department for Transport, and those must be considered.

Mr Shannon: I welcome the Minister's commitment to road safety; however, it requires the co-operation of everyone in the Province.

Over the last few weeks there has been a large increase in the number of people killed on our roads; that is very worrying. Over the past year the number of

motorcyclists that have been killed is of particular concern to me and others. Does the Minister intend to introduce any strategy or policy, in co-operation with other Ministers, to reduce that number?

Mrs Foster: The updated figures show that in 2005, there were 94 fatalities in Northern Ireland up to September. There were 89 in the same period in 2006, and, taking into account this morning's fatality, the figure stands at 80 for 2007.

I know that Mr Shannon has a particular interest in motorcycles. The 2007 figures for the number of deaths attributable to motorcycles are quite startling, and have caused me much concern. The number of motorcycle deaths has increased to 24, plus one pillion passenger, in 2007, compared to just 13 at this stage of 2006.

Proposals for immediate road-safety benefits are to be taken forward prior to the outcome of the road safety review in which my Department is engaged. Furthermore, it is intended shortly to bring forward proposals for the introduction of compulsory basic training for all new motorcycle riders, and that matter will go before the Committee for the Environment in the near future. At present, the Department takes responsibility for assessing and training motorcycle instructors and for maintaining a voluntary register of instructors. My belief is that there would be real road-safety benefits if that register became compulsory.

Mr Attwood: I welcome the Minister's statement, which confirms the substantive body of work that has been undertaken, in the North and in the South, in respect of road safety.

I have two points. First, driving disqualifications are mutually recognised, North and South, and I am aware of the feasibility study on the mutual recognition of penalty points. Is there any indicative time for that recognition? I know that it is subject to ongoing and complex issues, but it would be helpful to have that information.

Secondly, has the Minister considered introducing something similar to the practice in the South of putting the number of fatalities on billboards or advertising signs in each county? Those are explicit reminders to the road user of the threat on the roads.

My final point refers to what my colleague Pat Ramsey said. Does the substantive, ongoing, body of work concerning driving disqualifications, penalty points, border road safety, joint advertising and improved research, and so on, not beg for the establishment of an all-Ireland road safety body? Is that work, carried out by the Minister and her ministerial colleagues, and its importance to road safety, not an appropriate recommendation to the proposed efficiency commission for the establishment of such a body?

Mrs Foster: I thank the Member for his two points, which turned into three. As I said earlier, I hope to have action next year with regard to driver disqualification. Unfortunately, I cannot give Mr Attwood a timescale in relation to penalty points. I am sure that he would be the first to bring me before the House if I did not keep to that timescale. However, he can rest assured that my officials and I will continue to push on the matter, because we want it settled as quickly as possible. We shall await the outcome of the feasibility study and take it from there.

I have heard conflicting arguments concerning the billboards. Some people see them as a distraction on the roads; others say that they are useful reminders that people should take care on particular stretches of road. The Department closes its eyes to nothing that comes before it, and the suggestion will be examined in the review.

Implicit in Mr Attwood's question about an all-Ireland road safety body was the fact that good, effective work is ongoing. I want that work to continue, and I see no need to endanger it by politicising it and turning it into some sort of political football.

Lord Morrow: I thank the Minister for her statement. It is poignant that it should be made on a day that another fatality occurs in County Fermanagh, and my thoughts go out to the family concerned.

The period from 1969 to 2001 was euphemistically known as the Troubles, during which 3,316 people were killed. Is the Minister aware that, during that same period, 7,143 people were killed on the roads? That is almost twice as many.

I understand that there is an issue about policing, and the Minister is not in charge of that — would that she were.

Is it the Minister's intention that those who break the law by speeding and who are caught across the border should be pursued and charged with the same offence on their return? I would recommend that such people be charged twice, and I would like to hear the Minister's views on that.

Mrs Foster: As the Member knows, I was not around in 1969. *[Laughter.]*

If the figures for road deaths in the 1970s are compared with today's statistics, then we are doing very well. Sometimes that fact is not acknowledged when we are faced with another tragedy — it should be. However, that is not to say that work to reduce the numbers killed should not continue.

The Member made a point about the cross-border work of the PSNI and the Garda Síochána. Noel Dempsey commented that the work to bring people to justice should be acknowledged and that the border should not be used as a way of evading justice by those who break

the rules in either jurisdiction. The work should continue so that people will know that there is no hiding place when it comes to road-safety matters.

Mr Brady: Does the Minister see any merit in moving towards road signs displaying speed limits in kilometres per hour rather than in miles per hour? That would be in line with the rest of Europe and Ireland. As someone who represents a border constituency, I can see an obvious anomaly for drivers when moving from kilometres per hour to miles per hour.

Mrs Foster: There are absolutely no plans to change the speed limit signs in this jurisdiction.

Some Members: Hear, hear.

Mrs Foster: We will be keeping to miles per hour. We continue to work with the Road Safety Authority and the National Roads Authority in the South. However, there are more important issues to be dealt with, and I hope that we have covered them today.

Mr Dallat: I welcome the Minister's statement and share the grief that another person has lost his life on the roads. I am sure that we all send our condolences to his family.

The Minister indicated that there is a current Northern Ireland road safety strategy and that one is shortly to be submitted to the Minister for Transport in the Republic. Will she assure the House that those strategies will be joined up and that they will focus on young people, many of whom are victims of the slaughter that takes place on our roads day and daily?

Mrs Foster: I assure the Member that we have been sharing information, and he will know that there has been a continuous sharing of information especially in relation to the advertising campaigns that have taken place. That will continue. The Minister for Transport has indicated that he will share the new road safety strategy with me — and we will be able to take on board those issues that may have implications for Northern Ireland, especially in border areas where many deaths occur on the roads almost daily.

Mr Deputy Speaker: That brings questions to the Minister to a conclusion.

PRIVATE MEMBERS' BUSINESS

Establishment of an Independent Environmental Protection Agency

Mr Deputy Speaker: The Business Committee has agreed to allow one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose, and there will be 10 minutes for the winding-up speech. Two amendments have been received and have been published on the Marshalled List. Each proposer will have 10 minutes to propose, and there will be five minutes for each winding-up speech. All other Members will have five minutes to speak. I call Mr Brian Wilson. My apologies; I call Mr Ford.

Mr Ford: Mr Deputy Speaker, I hope that the rest of our communication will be better than that.

I beg to move

That this Assembly calls on the Executive to establish an independent Environmental Protection Agency for Northern Ireland.

This is an extremely important issue for the people of Northern Ireland. It is absolutely clear that our environment is in a mess and requires urgent attention. We are suffering from a legacy of failure, over many years, to take the necessary action to protect the environment and to recognise its role in the welfare of our people and in the development of our economy.

2.15 pm

Compared to other regions of these islands, Northern Ireland's wildlife-protection laws are extremely weak. We are seeing the disappearance of habitats that ought to be protected. Only this morning, I took a telephone call from someone who was extremely concerned that Prehen Wood, one of our few tracts of ancient woodland in the north-west, is under threat from a proposal to develop housing and build a road. The Planning Service seems to be minded to accept that proposal, and, at the moment, no agency with responsibility for protecting the environment seems to be able to influence the Planning Service on such matters, despite material considerations such as the protected status of the wood.

We are also seeing the loss of historic buildings in towns and villages right across the region. It is clear that important places for wildlife are not being looked after. We are simply not designating enough areas of special scientific interest; we are not doing it fast enough; and we are not protecting the ones that already exist. At the same time, we are seeing wildlife facing — at least localised — extinction. Although we may be grateful to see birds such as the chough return to Rathlin Island this year, it is also clear that birds such as the corncrake and the lapwing are under huge threat.

We all know the problems associated with the EU Water Framework Directive and the failure to deal

with water wisely. We see illegal dumps blighting the countryside, despite the fact that the responsibility for policing such matters was centralised from district councils into the Environment and Heritage Service (EHS) a short while ago.

It is clear that, for whatever reason, the Department of the Environment in general, and the EHS in its particular responsibilities, have not been carrying out their duties — perhaps owing to a lack of resources — on behalf of all my people. That may be a political rant, but those are not just my words; they reflect the decisions of bodies such as the Audit Commission; the Public Accounts Committees, both at the Assembly and at Westminster; and House of Commons Select Committees. It is clear that something needs to be done.

I freely confess that, as a party to some of the early decisions on structuring Departments back in 1999, I accepted that we should split the then Department of the Environment in two, creating a Department that would be responsible for infrastructure and a Department with responsibility for environmental protection. There were sound reasons for doing that. Of course, that was later somewhat amended by Mr Trimble and Mr Mallon, who decided on the final departmental duties and managed to place part of the regulatory role into the Department for Regional Development so that it was not simply the Department with responsibility for infrastructure.

However, that aside, there has been a failing in the Department of the Environment's structures to deal with its responsibilities. It seems that those are failings of structures, rather than of individuals. A Department staffed by the Civil Service is not the right place to carry out regulation of environmental matters. Of course, that is no surprise, because elsewhere in these islands, we see the Environment Agency of England and Wales, which has an independent role; the Scottish Environment Protection Agency; and the Environmental Protection Agency in the Republic of Ireland. Northern Ireland is the only region that is out of step. Either they are all wrong, or we are wrong. Look at the litany of issues that I cited at the beginning of my speech — it is not England and Wales or Scotland or Ireland that is out of step, it is Northern Ireland that is wrong.

In recent years, we have seen some movement towards the establishment of an independent environmental protection agency. That probably started with the Macrory Report of 2004. 'Transparency and Trust' was the title that Professor Richard Macrory used; it was about the need for environmental governance. That was then backed up by sound work by the Coalition for Environmental Protection, which led to the establishment of the review of environmental governance (REGNI) and the report that was published earlier this year, 'Foundations for the Future'. There is no doubt that that has been backed by a huge groundswell of support from across the community, as can be attested

to by those of us who have received large numbers of green “What future for her environment” postcards.

The review of environmental governance examined a wider issue, but it is absolutely clear that the authors of that report saw an independent environmental protection agency as the key driver for changing environmental governance in Northern Ireland and for ensuring that progress is made. However, that was not just the view of the usual range of environmental non-governmental organisations; groups such as the Confederation of British Industry, the Quarry Products Association, and the Consumer Council all backed that call. We have seen in recent weeks that that is not just a good idea; it is now an essential idea.

On 7 September 2007, in his High Court judgement on the judicial review taken against the strategic environmental assessments in the draft northern area plan and the draft Magherafelt area plan — a judgement that bears reading, even though it was rather overshadowed by another on the same day — Mr Justice Weatherup said:

“By the terms of the Directive it is apparent, as the Department accepts, that there be separation between the responsible authority and the consultation body. In the present cases I am satisfied that no such separation occurred and that it was not achieved by the Planning Service and the Environmental and Heritage Service being separate divisions of the same Department. For all practical purposes there was integration between the Planning Service and the Environmental and Heritage Service in the preparation of the documents. In any event had their been a formal separation of roles between the Planning Service and the Environmental and Heritage Service I would not have been satisfied that there was sufficient separation for the purposes of the Directive while the two services remain part of the same Department and legal entity.”

It could not be clearer than that. An environmental protection agency is no longer an optional extra; it is now essential in order to comply with the European directive that an independent environmental protection authority be established.

By way of an aside, I note that elements of the REGNI report would have cured issues that arose in the other judgement on 7 September on whether the Department for Regional Development or the Department of the Environment was the Department responsible for Planning Policy Statement 14. The REGNI report states that the Department of the Environment should have responsibility for:

“spatial planning, (including the elements which currently reside with DRD)”,

as well as several responsibilities that currently reside with the Department of Agriculture and Rural Development, the Department of Culture, Arts and Leisure and the Department of Health, Social Services and Public Safety.

We need to simplify the structures, and part of that simplification process — the essential part — is the establishment of an independent agency. That would be the next logical step in a process that began in 1962,

when the Abercorn Report called for an independent nature conservancy council. If an independent environmental protection agency were to be set up, it would follow up on recommendations in the Balfour Report on the need to remove environmental protection from the departmental core. The Balfour Report was published in 1984.

I have no doubt that Mr Wells, with his great experience of the Prior Assembly and the one-man-band role that he played in it, will be able to tell us more about the Balfour Report, but it is clear that we are still playing catch-up 20-odd years later with what was an essential recommendation then.

An independent environmental protection agency would have the duties and the powers to tackle environmental problems that are causing difficulties for us, both here in the Assembly and in Northern Ireland generally. Those problems are making it less attractive for those of us who live and work here and lead to our taxpayers being threatened with fines for failure to comply with directives. We absolutely must have an environmental protection agency, and the case for so doing is quite clear.

I shall mention briefly the two proposed amendments to the motion. When we tabled the motion, our intention was to make a simple, clear statement, and nothing could be simpler or clearer than a call for the establishment of an independent environmental protection agency, with no ifs, buts or qualifications —

Mr Poots: Simplistic?

Mr Ford: I said “simple”, not “simplistic”, Mr Deputy Speaker. I am sure that the Member, in his capacity as Minister of Culture, Arts and Leisure, will manage to work out the distinction when it comes to his Department.

Our intention was to set out that simple, clear call. I understand why Tommy Gallagher has tabled amendment No 2, which may be viewed in certain circles as beefing up our original proposal. His amendment causes me no great difficulty one way or the other, although I do believe that a simple, clear call for the establishment of an agency was beneficial.

Amendment No 1, however, which stands in the name of Peter Weir, appears to be a classic example of the obfuscation that we expect in this place. The case for an independent agency is clear, and the benefits are clear. If it was not clear enough from the REGNI report itself, Mr Justice Weatherup further highlighted the fact, yet amendment No 1 calls for further consideration and further delay. There is no choice — we know that we must do something. Instead of pretending that we can debate the issue a little bit more, we should be getting on with the establishment of an environmental protection agency.

I am not a lawyer, but I understand that Mr Weir is, and I have no doubt that he is as capable of understanding Mr Justice Weatherup's judgement as anybody in this place. I hope that the House will be of the clear opinion today that best practice elsewhere be followed. Moreover, I trust that those Members on the Unionist Benches who understand the issues under discussion will add their votes and not just their voices to this call for action.

Mr Weir: I beg to move amendment No 1: Leave out all after "Assembly" and insert

"notes the recent report 'Foundations for the Future', which recommends the creation of an independent Environmental Protection Agency; and further notes that more work needs to be undertaken to identify the costs and benefits of this recommendation, before decisions can be taken."

Although I am not able to speak in the lofty tones of a former QC in this place, I hope that I can at least address some of the concerns that have been raised by the outcome of the judicial review.

I say in passing, with no disrespect to any of my learned colleagues at the Bar, or even in the courtroom, that, whenever we are deciding what is best for Northern Ireland as a whole, the Assembly represents the will of the people. Consequently, we will be taking sound decisions that are based on the best way forward.

We are not here simply to follow the diktats of Mr Justice Weatherup or any other member of the judiciary. We have a proper mandate to fulfil.

This simple — some might say simplistic — motion is somewhat premature, although I appreciate the opportunity to debate the issue. The motion is being debated before the matter has been discussed in the Committee for the Environment, and the Member who proposed the motion will be well aware of that. The DUP's amendment should not be dismissed as some form of obfuscation, as it looks at the issue of costs and benefits. The Alliance Party is not in the Executive and, therefore, has no responsibility in this place. However, on this issue as with any other, we cannot have blank-cheque government. We need to be rooted in reality.

The DUP disagrees with Mr Ford's motion, and it disagrees more strongly with Mr Gallagher's amendment, which would be unworkable. An attempt to set something up immediately would create major problems for many Departments. It will be interesting to see whether the views of those who support Mr Gallagher's amendment will be shared in the Executive by their ministerial colleagues, who may well have concerns for their own Departments. That will be brought out later.

All Members — certainly those on the DUP Benches — believe that there is a need for environmental protection and changes in environmental governance, and that should unite us all. Irrespective of our backgrounds or political views, we all view Northern Ireland

as one of the most beautiful places that has been put on the earth, and it is important to protect that natural asset. However, when we look at environmental governance, it is also important to ensure that whatever route we take to try to copper-fasten and preserve the best in our society, we take the correct route. That may mean us taking a little bit longer to get there, rather than rushing, but it is important. We need efficient, effective and balanced solutions.

While it is important to fully protect the environment, we must also recognise the needs of the farming and business communities. The rural community — and particularly the farming community — have suffered greatly from various crises recently. We must have something in place that is responsible for, and looks after, the full remit of that.

I said that the debate is premature, and it is premature for several reasons. There must be recognition of the complexity of the establishment of an environmental protection agency (EPA), which was somewhat skated over by the proposer of the motion. Under the existing arrangements, the EHS has a much broader remit than the environmental agencies in any other part of the United Kingdom. For example, the work done in England by Natural England and English Heritage would be covered by the EHS here.

It is not simply a question of the role of the EHS. In addition to amalgamating with the EHS, an EPA would have a wide range of other functions, which would affect several Departments. For example, the responsibilities of the Department of Agriculture and Rural Development's Rivers Agency; environmental health officers in the Department of Health, Social Services and Public Safety; the Loughs Agency, a North/South body; and a range of Department of Culture, Arts and Leisure functions on inland fisheries and inland waterways would be subsumed in any EPA.

An EPA may seem like the golden bullet that would cure all our problems — and that may be particularly relevant to Mr Gallagher's amendment — but there are massive political, policy, practical, financial, legislative and administrative issues that would need to be tackled. That could not be done overnight.

2.30 pm

For example, the wider governance model that was proposed in the report will also cover changes to the planning appeals commission, the water appeals commission, the audit office and the judicial system. All those factors must be taken into account when considering an EPA.

Members must also ensure that the scope of the proposed EPA remains focused and that the good work that is ongoing in the Environment and Heritage Service is not lost. Several groups have expressed concern that the built heritage may become a low priority for the

proposed EPA. There has already been some success in that area. By 2005, 456 buildings were already on the register, and the number of listed buildings has exceeded each annual target.

Above all, before an independent environmental protection agency is set up the DUP wants an examination of the potential costs to ensure value for money. Although the review panel produced many good proposals, it fell outside its remit by failing to report on how much an environmental protection agency would cost to set up and run.

Given the commitments of the Department of the Environment (DOE), the wide range of other financial pressures and the fact that a large amount of money would be required to set up an EPA, some degree of analysis is required to see where that money is to come from. It is unacceptable to say that the Department of Finance and Personnel can simply write another cheque. If the EPA is to be set up — particularly if Mr Gallagher's amendment is accepted and it happens immediately — people must know which budgets are to be cut. Does Mr Gallagher wish to forego the hospital in Enniskillen? I suspect that that is unlikely. Even the Minister of the Environment would be reluctant to do that. If there is to be a large financial commitment to an EPA, people must explain where the money is to come from, which is why there must be proper costings before the proposal can progress. There are widespread pressures in the DOE — concerns about planning issues and underinvestment in the Planning Service are highlighted weekly. Are we to cut the Planning Service budget to provide an EPA? If people make proposals without any costings, they must give some idea of where the money is to come from.

Given the experiences of environmental protection agencies in other parts of the UK and the Republic of Ireland, concerns have been raised that, in the long run, it would be necessary to levy charges on local businesses and farmers of up to 40% of the total funding. If Members wish to create a competitive economy, particularly in rural areas, can we burden people with such a levy? That question remains unanswered. Funding is the overriding issue.

There are also governance issues that must be tackled. It is important that the idea of independence does not become a panacea. An EPA would be a statutory body set up under the auspices of the Department. It is questionable how truly independent it could be.

Unfortunately, this motion is half-cocked and has been tabled prematurely. Rather than being a well-thought-through proposal, I suspect that it is an attempt by those who tabled it to associate themselves with a cause that they believe to be popular.

Clearly, there is a need for better environmental protection in Northern Ireland, but, instead of dwelling

on administrative issues, Members should consider practical issues that must be dealt with first, such as waste discharges, which require urgent attention. Further consideration must be given to costs, and the proposal must be well thought through if it is to progress. I support amendment No 1.

Mr Gallagher: I beg to move amendment No 2: Leave out all after "Assembly" and insert

"notes the recommendation to establish an independent Environmental Protection Agency in the 'Foundations for the Future' report; and calls on the Executive to establish an independent Environmental Protection Agency, which must be fully operational within the lifetime of this Assembly."

I wish to commend Brian Wilson and David Ford for tabling this important motion. The environment is the most important issue to face the world this century. Proposals to address the problems with it can certainly not be dismissed as premature.

My amendment puts the creation of an independent environment watchdog into a specific time frame. Amendment No 1 does not do that; it says a lot about costs. None of us want to duck the issue of costs; it is important and cannot be avoided. However, chapter 5 of 'Foundations for the Future' is specific about the functions that should be transferred. Costings could be carried out in a matter of weeks, at most. That is not a huge task, given that we have the report to work from.

As many Members know, the cost of not setting up an independent agency will outweigh the inaction that lies behind amendment No 1. We have only to think about the EU fines that lie ahead of us.

There is no reason for delay. The DUP amendment is asking the Assembly to fiddle, and Members know the rest of that story. Are we to fiddle while being submerged by floods and with our marine life and biodiversity continuing to be ruined?

The quality of life and the health and well-being of people in Northern Ireland depend on the quality of air and water and the capacity of the countryside to support people as well as a rich diversity of wildlife. Environmental issues have been a low priority here for too long while our neighbours in the Republic of Ireland, England, Scotland and Wales, as we have just heard, have handed over responsibility for regulating the environment to independent agencies. We have not heard any complaints about their costs.

During the 1980s and 1990s, those countries had independent agencies to tackle abuses of the environment and to enforce environmental legislation. We have fallen behind, and we do not have the systems and structures in place that have the capacity to produce the outcomes necessary to protect the environment properly. Illegal dumping and the discharge of raw sewage into the sea continue, and many species are threatened due to the removal of their habitats. The

scale of environmental protection is simply inadequate. The Environment and Heritage Service cannot act effectively as our environmental champion — the recent Giant's Causeway controversy and Northern Ireland Audit Office reports on delays in the designation of areas of special scientific interest (ASSIs) are testament to that.

The EHS has also been heavily criticised by the Waste Management Advisory Board for Northern Ireland and the Environment, Food and Rural Affairs Select Committee. Granted, after so many reports, there have been attempts to address some of the issues. Work has been done on a cross-departmental basis, and we have had the development of a waste management strategy, but the Government cannot act as both poacher and gamekeeper.

The Department of the Environment is one of 11 Departments, and, as such, is often overruled. Moreover, there are barriers to environmental regulation by bodies within central Government.

Mr Craig: Will the Member give way?

Mr Gallagher: No, I am not giving way.

That has been recognised by many countries, and it is identified in 'Foundations for the Future', which states:

"First, the necessary confidentiality of departmental policy making processes and inter-departmental debate creates a serious lack of transparency around the making of regulatory decisions. Without transparency, regulatory decisions command neither the confidence of the public nor that of the regulated.

Second, the officials administering the regulations are exposed to both a real and perceived risk of conflict of interest."

The report goes on to state that the effectiveness of regulation by bodies internal to Government is inhibited since:

"Modern environmental governance requires a strong and focussed regulator able to adopt modern risk-based regulatory practices without a loss of public confidence."

Northern Ireland needs a strong independent voice to champion and safeguard the environment. It is no surprise that 'Foundations for the Future', launched in May 2007, recommends that environmental regulation should be transferred to a new EPA with statutory powers.

The report is detailed and thorough, and was compiled after wide-ranging consultations. It sets out the functions that should be retained by the Department of the Environment; for example, planning and environmental policy, and it spells out the necessary and important accountability mechanisms for a new environmental protection agency. Moreover, it recommends that the EPA's purpose:

"should be to protect and enhance the environment and in doing so to contribute to the achievement of sustainable development."

A well resourced and independent EPA should be the first layer of environmental governance. However,

there are other necessary elements — a shared vision on local and agreed standards for the protection of the environment needs to be developed between the Government and other stakeholders. Effective arrangements for the integrated management of important assets such as coasts, uplands and river basins are also required.

Owing to this being a small island, a problem such as air or water pollution can spread quickly. The reality is obvious — we cannot partition the environment, therefore, managing it needs a whole-island strategy. To maximise its effectiveness, any new EPA must have the capacity and the powers to pursue its own programme of practical co-operation with its counterpart in the Republic of Ireland.

A number of official reports on areas such as water pollution and nature conservation have highlighted problems in Northern Ireland of poor resourcing, inadequate management systems, and, as many Members are aware, poor enforcement. Northern Ireland has a reputation for the late transposition of EU directives, and is currently facing fines for failing to implement them.

Given the urgency of all environmental matters, not least the warnings from environmentalists about time running out for corrective action, procrastination is no longer an option. I propose the creation of an independent environmental protection agency within the lifetime of this Assembly. That would send out the message that the environment has, at last, been put at the top of the agenda in Northern Ireland.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I support the aims of the motion and amendment No 2. I thank Mr Ford and Mr Wilson for raising a key issue for many of those who are involved in the protection of the environment.

It is important to state that Sinn Féin is in favour of the eventual establishment of an all-Ireland environmental protection agency. This, we believe, is an important first step in that process. All-Ireland environmental governance makes sense in so many ways, and it is an issue that we will raise at the North/South Ministerial Council.

There is little doubt that there is a need for reform of the present system of environmental responsibilities. Support for that reform stems not only from a loss of public confidence in the quality of environmental regulation, but from a desire for greater transparency, leadership and public debate in decision-making.

The EHS has been criticised by several public bodies because of its activities in recent years, particularly in respect of its poor performance in certain areas. Examples include: poor management of funding for environmental protection; Government intervention to the detriment of the environment; poor performance in achieving environmental objectives; and a lack of co-ordination

with Departments with responsibilities for the implementation of environmental legislation.

The Royal Society for the Protection of Birds released a report card on how the EHS was performing in regard to areas of special scientific interest (ASSI). On ensuring that all qualifying sites are declared ASSIs by 2010, the EHS achieved a grade F. That indicates that it is not on course to halt biodiversity loss here by 2010 — a key EU target. The EHS simply has not made the grade in protecting our environment.

2.45 pm

The report of the review of environmental governance, which was published in June and which has already been mentioned, recommended that responsibility for environmental regulation be transferred to a new environmental protection agency. John Woods of Friends of the Earth said at that time:

“This report affords us the best opportunity in a generation to reform the system which protects our environment.”

I hope that the Minister of the Environment shows leadership on the issue and seizes the opportunity that has been presented by implementing the report's recommendations.

Another of the report's key recommendations is that appropriate measures be taken to restore and enhance an all-island approach to environmental governance at policy and operational levels. Given that we have distinct island biogeography that does not consider boundaries, such an approach would benefit biodiversity conservation. That approach would also ensure greater regulatory and enforcement mechanisms and would bring cost-saving benefits in staffing and resource requirements.

Sinn Féin commends the work that environmental non-governmental organisations have done to date to highlight the deficit in effective environmental protection and governance. The establishment of an independent environmental protection agency is essential in order to protect the beautiful environment that attracts so many tourists here every year, to avoid the colossal European fines to which Mr Ford alluded, and to halt biodiversity loss and illegal dumping.

To date, all parties, bar one, have publicly backed the immediate establishment of an independent environmental protection agency. We should not stall, nor should anyone sit on the fence on the matter. Given that the destruction of our environment and its wildlife is already happening without reproach on a daily basis, steps must be taken to establish an environmental protection agency as soon as possible.

I support the motion and amendment No 2. Go raibh maith agat.

Mr Armstrong: I welcome the debate, and I am pleased to contribute to it. There is no doubt that environmental concerns, such as waste, waste management, planning, renewable energy and climate change, are increasingly important and are at the centre of political debate. We are now much more aware of the importance of taking care of our natural environment and of the need to promote sustainable development so that we can play our part in tackling global warming.

At the moment, Northern Ireland is the only part of the United Kingdom that does not have an independent environmental protection agency. The Environment Agency is responsible for England and Wales, while Scotland has the Scottish Environment Protection Agency. Both agencies were established in 1996. Many diverse voices have called for the establishment of an equivalent body in Northern Ireland. Those voices range from environmental groups, such as Friends of the Earth, the National Trust, and the Royal Society for the Protection of Birds, through to the Confederation of British Industry, the Quarry Products Association and the Consumer Council for Northern Ireland.

I am a great believer in saying, if it ain't broke, don't fix it. The problem is that the existing system, in which the Department of the Environment, in the shape of the Environment and Heritage Service, is responsible for the protection and control of the environment, most certainly is broken and cannot be left alone.

I declare an interest as a farmer, even though I am not wearing any particular hat today. Many in the farming community view the prospect of an independent environmental protection agency with a suspicion that borders on hostility. That unfortunate position is the result of past experience. The perception in the farming community has been that farmers — and let us not forget that they are the custodians of the countryside — have been an easy target for the Environment and Heritage Service. At the same time, Government agencies, such as the Department for Regional Development's Water Service, which is protected by Crown immunity, and big business have been given something of a bye-ball. That situation cannot continue, regardless of what happens in the future with an independent agency.

If an independent agency is established to protect the environment, it must work in close and genuine partnership with farmers, who, more than anyone, have a vested interest in protecting and preserving the environment as it provides for their livelihoods. On many occasions in the past, such a partnership has been sadly lacking.

An independent agency must not form an additional layer of bureaucracy or become another burden on a farming community already overburdened with red tape

and apparently endless regulations. I stress that farmers must not be dictated to by a busybody organisation.

Mr Weir: Will the Member give way?

Mr Armstrong: Go ahead, but do not be too long.
[Laughter.]

Mr Weir: I appreciate that. You do get an extra minute, but I will curtail my time to give you the maximum opportunity. I appreciate the point that you have made that farmers should not be overburdened by bureaucracy. I assume that you are aware that the main representative farmers' body, the Ulster Farmers' Union, is on record as being opposed to an independent environmental protection agency? That may be another reason for further thought and caution before a form of environmental governance is put in place, and that adds further weight to the DUP's amendment.

Mr Armstrong: I welcome the Member's comments, and I am sure that someone else will take them on board. [Laughter.]

Mr Deputy Speaker: The Member is running out of time. Order.

Mr Armstrong: Before an independent environmental protection agency is established, I would recommend genuine and meaningful engagement with the farming and agricultural community so that both sides may learn from the past to ensure that mistakes are not repeated.

Mr I McCrea: I am not sure that I can follow Mr Armstrong's contribution, but I will attempt to.

I welcome the opportunity to debate this important environmental issue. I agree with my colleague Mr Weir that the matter has been brought before the House prematurely. It should have been brought before the Committee for the Environment before the motion was tabled.

I assure the Member for North Antrim Mr McKay that any notion that he has of an all-Ireland environmental protection agency is only in his dreams.

A significant non-governmental organisation (NGO) environmental lobby has prompted today's debate. Its concerns are not without substance; neither is its ambition without merit. As the House has heard, there are critical challenges, both current and emerging, facing Northern Ireland's environment. All will have a huge impact on our communities' quality of life.

Many of the challenges, such as tackling climate change, halting the loss of biodiversity, minimising waste, reducing landfill, safeguarding the marine environment and the protection of landscapes, habitats and species, will require long-term policy frameworks.

Enhanced regulation and a marked change in public attitude and behaviour as well as clear environmental leadership are necessary if we are to sustain the world in

which we live. REGNI is an ambitious and complex undertaking that looked beyond regulation and enforcement and considered ways to stimulate action, not only by the decision-makers, but by urban and rural communities, business leaders and individuals.

In addition to encouraging positive behaviour, REGNI ensured that its recommendations are fit for purpose and will result in Northern Ireland having the most efficient and effective arrangements for environmental governance.

In preparing for a 10-year strategy, the EHS referred to an environment that is both highly valued and well protected. Unfortunately, experience has shown that that has not always been the case: there have been numerous high-profile incidents in which our natural and built environments have not been afforded the correct protection, with devastating consequences. Therefore, one can immediately appreciate why so many may feel that the penalties and sanctions for environmental crime have been largely ineffective.

The Department for Environment, Food and Rural Affairs has considered how offenders could be forced to carry the burden of repairing significant environmental damage. Polluters could potentially be faced with greater financial penalties and increased sanctions. They could also be forced to improve the environmental quality of the communities most detrimentally affected by their actions. I ask the Minister to consider that type of approach in Northern Ireland.

It is clear from the work undertaken by the review of environmental governance in Northern Ireland that there is no quick-fix solution to heal all environmental ills overnight. Any advancement must encompass a considered and measured approach to ensure that any changes to the current system are not only financially viable and beneficial, but, ultimately, sustainable.

While the Minister is considering the options, the opportunity exists to enhance and promote the role of the EHS as the champion of environmental priorities. Progress has already been made on waste minimisation and water quality. Indeed, those achievements were acknowledged in evidence sessions to the review of environmental governance. Partnership between the EHS and other Departments, such as the Department of Agriculture and Rural Development, key environmental stakeholders and representatives from the farming and business sectors has also improved, which can help to deliver joint objectives. As the chief executive of the EHS stated at the Environment Northern Ireland conference in October 2005:

"there is a job to be done; an environment to be protected."

I support the amendment standing in the name of my colleague Mr Peter Weir.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. It has been outlined already that the North is unique among these islands because it does not have an independent environmental protection agency. That is an absolute disgrace, and it does great injustice and disservice to society's children.

There must be greater transparency and accountability, and an independent environmental protection agency must have rigorous enforcement powers to enable it to hold polluters to account. That is essential to ensure public confidence. The effectiveness of the proposed agency is paramount. It must be a powerful advocate for the environment. Reports stretching back over the past decade, including those of the Waste Management Advisory Board, have been highly damning of the Department of the Environment's record on environmental protection and waste management and have demanded real solutions and answers.

Sinn Féin's view is that an independent environmental protection agency offers the most viable alternative to the Department's many past failures in regulating persistent offenders properly. There is a clear need for radical solutions to problems that will simply not go away, and the emphasis must be on preventing damage to the environment rather than dealing with the aftermath of pollution — or not dealing with it, as is the case in my constituency, where sewage has been lying in Glenlough Park, a public park in Ballynahinch, for the past four weeks. This issue cuts across Departments, and that is why an independent environmental protection agency is needed.

The Department of the Environment should be stripped of its environmental protection powers because it has failed to do its job with the vigour that is needed. An independent environmental protection agency could take the lead in ensuring that all Departments meet environmental targets on, for example, use of renewable energy, recycling and pollution control.

We are facing a crisis in waste-treatment capacity, and it makes no sense to examine the problems of waste management and illegal dumping in a segregated way. We need an all-Ireland waste management strategy that is driven by an implementation body that has tough enforcement powers — “enforcement” being the key word — that will move from landfill and incineration.

EU environmental directives put the onus on the Assembly to act faster and invest more in meeting new tough guidelines, and failure to comply could, potentially, cost millions of pounds. That will hit local councils, which have not been given the support or resources needed. They have led the way in waste management, and that must be recognised.

I am pleased that the recent review of environmental governance recommended that an independent environmental protection agency should be created. However,

Sinn Féin's view is that the focus must be on establishing such an agency on an all-Ireland basis. Other Members have said that also, and it makes sense for a small island.

3.00 pm

The recently published ‘Foundations for the Future’ contains wide-ranging, radical recommendations that the Assembly and the Executive must study carefully. The report calls for the establishment of an environmental protection agency and recommends the transfer of powers from several Departments, those powers to be placed in the Department of the Environment. In addition, the report highlights and signposts the need for an all-island approach to environmental issues. The protection of our environment is a core issue that transcends geographical and political boundaries. The value of cross-border implementation bodies to deliver sound environmental governance makes sense.

It is abundantly clear that the future development of environmental policy should formally go down the all-island route. Enforcement is the key; we must not allow large development companies to ride roughshod over ordinary citizens. The only way to safeguard our environment is through the creation of an independent EPA. I support the motion and amendment No 2, because of its inclusion of a time frame element. Go raibh maith agat.

Mr Wells: There is absolutely no doubt that environmental issues are becoming more important, particularly among young people. There is a rapidly increasing concern about the environment, particularly on the issues of global warming and climate change.

I feel a sense of déjà vu. In 1962 — when I was around and the Minister was not — a report recommended the establishment of an independent environmental protection agency in Northern Ireland. Nothing happened, and our environment continued to be degraded. In 1984, when I was a Member of a former Assembly — of which I am, perhaps, the only survivor present in the Chamber this afternoon — there was a similar debate when the draft Nature Conservation and Amenity Lands Order (Northern Ireland) 1985 was published.

In answer to those points, the then Minister decided to set up a review under the auspices of Dr Jean Balfour. I met Dr Balfour four times during that review. She opted not to have an independent agency. She promised us a new, strong, independent, clear voice for conservation, called the Council for Nature Conservation and the Countryside (CNCC). Twenty-two years later, very few people even know of the existence of the CNCC. If 100 people on the streets of Northern Ireland were asked what the CNCC was, they would say that it was a paramilitary organisation. Few people realise that it exists. It has had absolutely no impact. It has not been the independent voice for conservation and environmental protection — it has been totally anonymous.

Powers were transferred to the Environment and Heritage Service, and the environment continued to be degraded.

We have a third opportunity to try to correct that situation. There is no doubt that the environment in Northern Ireland desperately needs better protection. That is the one issue on which we all agree. We have seen many examples. The classic example occurred in the first Assembly when the then Minister of the Environment, Mr Dermot Nesbitt, was pressurised by developers to allow major developments to be linked up to sewerage systems that we all knew did not work. We had many seaside towns where the only attraction was a brown stream of fluids — untreated sewage — flowing into the water.

People say that there are costs attached to an EPA, and that is undoubtedly true. The fact must be accepted that infraction proceedings were taken by the European Union, and we face significant fines for our failure to implement proper sewage treatment systems. Eventually, those fines could far outweigh any expense associated with establishing an EPA.

We have seen the wholesale destruction of habitats. We have seen much of our countryside destroyed by inappropriate development, and we have seen a lower standard of environmental protection than in any other part of western Europe. I have to ask the obvious question: what is different about Northern Ireland when compared to every other democracy in the northern hemisphere? In every country in Europe, North America, Great Britain and the Irish Republic, there is an independent environmental protection agency. Somehow, Northern Ireland is totally different. Either the rest of the world is wrong, or we are wrong. It cannot be both. Is Northern Ireland's situation so unique that it does not deserve the same strong environmental protection that is afforded the rest of the world?

There are major difficulties in having environmental protection within the ambit of a Government Department. There has already been the suggestion of the problem of Crown immunity. The facts must be put right on that. Since the establishment of Northern Ireland Water, Crown immunity no longer applies to the water service in Northern Ireland. Of course, it still applies to every other Government Department and agency. So, if they cause environmental damage, there is absolutely nothing that can be done about it because one part of Government cannot prosecute another. That alone is a good reason for considering the establishment of an EPA.

I support the creation of an EPA — and I assure Members that this is a personal view, not a party view — because I believe that we need a strong independent voice to stand by the environment in Northern Ireland — a voice that will state, when things go wrong, that that cannot be allowed to continue. The EHS cannot do that because it is within the Government structures; if

it tried to do so, it would be sat on, either by its own Department or by the greater Executive, and told not to rock the boat.

I support amendment No 1 because it outlines important issues. There are difficulties that have to be overcome, and a consultation will have to be undertaken. I do not believe that a decision can be taken in September on a report that has been published in June. However, I hope that, after the consultations, Ulster, like every other part of the world, will have a strong EPA — and I point out to Mr Willie Clarke that it will be an EPA for Ulster alone.

Mr Kennedy: It is always a pleasure to follow the honourable Member, particularly when he is on his hobby horse. To be fair to him, he has a long-standing record on those issues.

I welcome the debate, which has been useful. I wish to make it plain from the outset that we are minded — *[Laughter.]*

We are minded to support the SDLP amendment, although there remain issues of timing and costing that require further clarification and detail.

I also wish to make it plain that we have considerable concerns about the wording of the DUP amendment. Not only does it send out a message of indecision, but it hints that the Minister may reject the proposal for an environmental protection agency. We need look no further than the wording of the amendment to see the way that the Minister's mind might be working and to understand what she might be minded to do. At best, that would be to kick for touch, and the decision can perhaps join the long and growing list of decisions that the DUP Ministers have not made. At worst, a decision may once again put Northern Ireland out of step with the rest of the United Kingdom, which is a very odd position for a professedly unionist party to favour.

However, we should not be surprised by that, because the DUP manifesto was equally vague about what it would do in respect of an environmental protection agency. If I can borrow an expression used by a senior — or perhaps a junior — DUP Member, the DUP tree-hugging faction was openly at odds with that party's environment policy over this issue during the last Assembly mandate. The UUP position is one of clear support for an environmental protection agency.

At the same time, however, my party does not want this issue to be used as a stick to beat the back of our already hard-pressed farming community. The UUP wants the creation of an environmental protection agency, but it wants its terms of reference to be stringently designed so that it gains widespread support among the rural community, particularly the farmers, who, after all, are recognised as the custodians of the countryside. Therefore, we will seek to work with bodies such as the Ulster Farmers' Union to achieve a satisfactory

outcome. It is for that reason that my party leader, Sir Reg Empey, the Minister for Employment and Learning, has indicated to the Minister of the Environment that a degree of caution is necessary when deciding how that can best be achieved.

The UUP is a genuine unionist party, and it wants to keep in step with the rest of the United Kingdom by creating such an agency. As people who are proud of Northern Ireland, UUP members are determined to have the best for Northern Ireland, and to end, once and for all, Northern Ireland's sad reputation for having the worst environmental record of any part of the United Kingdom.

The review of environmental governance report of May 2007 advised the creation of an independent EPA. Our party's submission to that review was delivered by my colleague Sam Gardiner. We supported the proposal at an evidence-gathering meeting of the environmental governance panel — a meeting from which the DUP and Sinn Féin were noticeably absent.

The development of such an agency is seen to be important to the people of Northern Ireland. Five thousand people took the time to write to the political parties, asking for an independent environmental protection agency to be established and for the environment to be made a higher political priority. Some 50,000 people belong to environmentally-friendly bodies in the Province. We support the motion and the SDLP amendment because people want it; and what the people want, the people should have.

Let us see progress on this, but, at the same time, design the agency in a way that commands widespread rural support. That is why my party is cautious about timings and costings but gives its broad support to the SDLP amendment.

The Minister of the Environment (Mrs Foster): I welcome this debate, indeed, any Assembly debate on environmental issues, as Members know. I thank Brian Wilson, who will make the winding-up speech, David Ford, who moved the motion and Peter Weir and Tommy Gallagher for their amendments. Many contributors made important points.

We were given a history of attempts to create an independent environmental protection agency by the Member for South Down Mr Wells, who gave us the benefit of his experience. However, the most recent idea for such an agency was proposed by the environmental governance review in its recent report, which I received on 19 June 2007. Having read that report, I said that I was open-minded about an independent agency and, indeed, about all the review's recommendations, including one that urged all political parties to appoint environmental advisers. I look forward to all parties taking action on that recommendation.

Environmental non-governmental organisations have been lobbying for an independent agency for a

long time, and I have had opportunities to hear what the representatives of individual organisations have been saying on that. As has been mentioned, other stakeholders who are subject to regulations, particularly the producers, such as farmers and food processors, as well as quarry operators and other sectors of business and commerce, have a different view. Having listened to their representatives, I know that they have concerns about the cost of a new agency and its likely impact on fees.

I am pleased that we have had the opportunity to listen to the views of Members, and I shall briefly respond to some of them. Mr Ford mentioned the transposition of European directives. The need to achieve a high-quality environment is critical to the future well-being and prosperity of everyone in Northern Ireland, and for that reason I am determined not to repeat the mistakes of the past — at least while I am in office. Rather, I want to ensure that appropriate policies and legislation that will protect and enhance the environment are put in place so that all our obligations are met fully, including the timely transposition of European directives, which did not happen in the past.

In that context I am also pleased that we were able to bring into effect legislation on natural habitats under the Conservation (Natural Habitats etc) (Amendment) Regulations (Northern Ireland) 2007 on 21 August to meet our commitments under the habitats directive. Legislation will further transpose the requirements of that directive and will provide consistency of approach throughout the United Kingdom.

Mention was made of waste offences, and it was said that my Department, through the Environment and Heritage Service, has not pursued people who have taken advantage of waste regulations. That is untrue. The rising number of convictions is a reflection of the extent of current and historic illegal waste activities in Northern Ireland, but the seriousness of those offences is also increasing owing to the involvement of illegal gangs. In that regard I welcome the intervention of the Assets Recovery Agency and the work that it does.

EHS has a dedicated environmental-crime section, which I had the chance to visit last week in the Klondyke Building. It is using enhanced legislation and interaction with other law enforcement agencies to try to tackle that serious issue.

Mr Ford and other Members mentioned water quality. Since 2000, there has been a 15.5 % increase in the length of rivers classified in the top two categories of chemical quality, and an 18% increase in compliance with discharge consent. Between 2000 and 2005, there was a 30% reduction in the number of substantiated pollution incidents.

Mr S Wilson: The Minister has gone through a catalogue of issues that the proposer of the motion talked about, such as the loss of habitat and the impurities in

water. Will the Minister agree that, even where there are independent bodies in Scotland, England, Wales and the Irish Republic, the same complaints are still made? Taking the issue away as a core departmental function and giving it to an independent agency will not produce the panacea that the proposer has suggested.

3.15 pm

Mrs Foster: There is an element of truth in the Member's comments. Many of the points that have been raised in the Chamber concerned resources. That pertains whether environmental protection is externalised or kept in the Department. The issue is one of resources. Unfortunately, the motion and much of the discussion has not concentrated on that. That disappoints me because those of us who are trying to push for more resources for environmental protection put a lot of work into doing that.

Some Members made reference to built heritage. It is a concern that, if REGNI is implemented in the way in which it is envisaged in the report 'Foundations for the Future', built heritage work will have a low priority. As a Minister, I have a special interest in the built heritage, and I am well aware of the good work of EHS Built Heritage in identifying and listing buildings of special architectural or historical interest, in registering those buildings most at risk from deterioration or demolition, and in facilitating restoration and preservation work. Some Members may say that good work has been done but that more needs to be done. I accept that, but it is also a resource issue. Built-heritage groups are concerned that, if built heritage is part of an expanded agency of the type proposed by the review of environmental governance, the work that they do will have a low priority. I appreciate those concerns, and I take them on board.

Mr Ford said that there had been a downturn in the number of corncrakes. I can assure him that corncrakes are thriving in County Donegal and there is an expectation that they may return to Northern Ireland in the near future.

Mr S Wilson: The Braniel corncrakes.

A Member: The corncrakes are in the north. We want them back in Northern Ireland.

Mrs Foster: I am assured that they have a residential address in Londonderry.

Mr Ford mentioned that the CBI supported a review of environmental governance that should run in parallel with the review of public administration. In a letter to me, the CBI says that if a decision were taken to establish an independent environmental protection agency, it should be cost effective and focused on:

"enforcement of environmental regulation and the provision of information and advice on promoting best environmental practice".

The CBI recognises that there must be a value-for-money element to the issue.

Mr Weir referred to a lot of issues, and I welcome his comments. He talked about the concerns about the built heritage and about value for money. He also pointed out that the report did not include costings.

Mr Ford: The Minister referred to Mr Weir's comments about the lack of costings in the REGNI report; indeed, producing costs was not part of the review team's functions. However, will the Minister assure Members that she and her officials will work on the costs and benefits and return to the House as soon as possible in order to advance the discussion?

Mrs Foster: I am happy to address that question. Unfortunately, the REGNI review team was supposed to consider the cost implications, but did not fulfil that part of its remit. As soon as I received the REGNI report, I assigned officials to examine the costings, and they are working on those now. I am happy to come back either to the House to discuss the matter, or, in the first instance, to the Committee for the Environment. The latter option may, indeed, be more appropriate.

Mr Ford: Will the Minister indicate when the "first instance" is likely to be?

Mrs Foster: If the officials are quick, initial costings will probably be available to the Committee for the Environment before Christmas. Santa will bring them in his bag of goodies.

It is important to recognise that the substantive motion calls on the Executive, not the Department of the Environment, to take action. It does so because the report affects almost all Departments. I wrote to my fellow Ministers, the Comptroller and Auditor General, and, because the reports include comments on environmental justice, to the Lord Chief Justice. Most have replied, and the majority have indicated that they welcome the report but wish to see costings. The Minister of Health, Social Services and Public Safety said that he had some initial concerns about the recommendation on the realignment of Government policy functions. He went on to talk about costings. His view is similar to those expressed throughout the Executive. Although some Members may want to use the debate as a DUP-bashing exercise — and that is a matter for them — they must reflect that the issue affects every Minister, not only the Minister who stands before the House today.

Much has been made of the independence of a new agency. There is no doubt that a non-departmental public body has freedoms that an executive agency does not. One such freedom is that chairpersons of boards sometimes feel impelled to criticise Government, and the REGNI report refers to that. It is important to point out, however, that non-departmental public bodies are required to operate within well established

governance and accounting frameworks that limit their flexibility and freedom.

The legislation under which any agency is established is likely to set out its functions and powers, arrangements for ministerial appointments of the board, and mechanisms by which the DOE would sponsor or oversee the agency. The Department would set out the agency's funding regime by determining what proportion of its income would be provided through grant aid and how much it must recover through fees or by other means.

In his contribution, Mr Armstrong said:

"If it ain't broke, don't fix it."

He went on to reflect on his discussions with the farming community and spoke of the concerns about an increase in red tape and regulations. If he is concerned, he must ensure that Members have a balanced debate with open minds on that matter in order that they can consider the effects on the whole community in Northern Ireland, not just some of it.

Mr McKay spoke about areas of special scientific interest and the need to designate more. That point has been raised in the House on several occasions. He knows my position on that: if the resources were available in my departmental budget, I would designate more, but, unfortunately they are not. He asked me to show leadership and to implement the REGNI report. Mr McKay knows that that is not solely up to me. The issues with which the report deals are cross-cutting and will affect, particularly where his own party is concerned, the Department of Agriculture and Rural Development, the Department for Regional Development, and the Office of the First Minister and the Deputy First Minister. He must reflect on the implications that the report will have for his party colleagues who are Ministers.

Willie Clarke said that it was a travesty that Northern Ireland did not have an environmental protection agency. He thought that such an agency would be a powerful advocate for the environment, and he spoke at length about waste and sewerage issues. If Mr Clarke has any specific issues concerning his constituency, I would be happy if he wrote to me about them. He also highlighted the fact that local councils lead the way in waste management, and I recognise that. Furthermore, I recognise the good work of councils in implementing the waste management strategy and the good work of the three waste management boards. They work closely with the Department, and that relationship will continue. Members should reflect on where we are today.

Mr Deputy Speaker: Minister, your time is up.

Mrs Foster: I took interventions.

Mr Deputy Speaker: I am advised that interventions in your case do not permit you to have extra time to speak. I apologise for that. I call Tommy Gallagher to make a winding-up speech on amendment No 2.

Mr Gallagher: It is clear that Members support the establishment of an environmental protection agency as the most appropriate arrangement for caring for our environment. I thank the Minister for her comments, some of which are encouraging. However, she mentioned costings, but I am sure that everyone here will agree that costings are not a problem. She referred to other Ministers in the Executive also raising that issue, and that is not surprising. In fact, we would be alarmed if Departments were in the hands of Ministers who did not carefully monitor the costings of all initiatives.

It is encouraging to hear that there have been some convictions for dumping illegal waste; however, in my view, there have not been enough. I am sure that I am not alone in thinking that convictions for dumping illegal waste are one thing, but cleaning up that waste is an entirely different matter, and the Environment and Heritage Service is not confronting that issue. In fact, it appears to offload the responsibility for cleaning up onto councils and, ultimately, onto ratepayers. That culture of caution and inaction in the protection of our environment is costly, and the price will be higher than that of simply establishing a new, independent environmental protection agency.

I refer again to concerns about the role of the Environment and Heritage Service in the Department of the Environment. I wish to point out —

Mr McGlone: During recent judicial reviews into the draft northern area plan and the draft Magherafelt area plan, the judge expressed a major concern in his determination and conclusions that Environment and Heritage Service, as part of the Department of the Environment, a Government Department, could not act as an independent consultative body advising that Department on matters relating to, in this instance, planning.

Mr Gallagher: The Member's comments illustrate the public's concerns about the role of the Environment and Heritage Service on environmental matters. Daithí McKay and Willie Clarke from Sinn Féin referred to an all-island approach, or, perhaps, an all-Ireland approach.

That makes common sense in relation to the environment. I notice that my colleague on the Committee Ian McCrea said that he did not support any of that. However, the environment is one issue in which the border is not recognised: we cannot stop rivers flowing or pluck the birds from the sky. There should be common sense and logic on this issue.

Billy Armstrong and Danny Kennedy mentioned the importance of working in co-operation with farmers, who are the custodians of the countryside. I agree entirely — we must work in co-operation with them and all rural stakeholders.

Jim Wells gave a passionate speech on the environment, as he usually does, and outlined the previous

attempts that have been made to secure independence in monitoring the regulation of the environment. The point was well made, and I hope that as a result of today's discussion we will have that body in place during the lifetime of the Assembly.

3.30 pm

Mr Hamilton: It is a pleasure to speak so soon after the Minister of the Environment, and it was particularly interesting to hear her give a clear commitment to environmental protection — a sentiment that permeated throughout the Chamber.

It is obvious that all Members are committed to environmental protection, and there was much talk about the loss of historic buildings; the threat to certain species; the pollution of rivers, and so forth. Strong environmental protection is clearly supported throughout the Chamber. As that is our shared vision, the task is to find the best way of enforcing it in Northern Ireland.

I would not say that the motion was ill-conceived — far from it. It is obvious that the proposer and his colleagues are committed to environmental protection and are very supportive of an independent environmental protection agency. However, I concur with colleagues who said that the motion is a little premature, because the Committee for the Environment has not yet discussed the matter and the ink is barely dry on the review of environmental governance report.

Fundamental issues need to be addressed before any final decisions can be taken. There are four key areas: cost; bureaucracy; accountability; and overall necessity. Cost is of paramount importance.

The report of the review of environmental governance goes into excruciating detail at times on why an environmental protection agency should be created; its various powers; its management structure; its boards; its personnel; what reports it should produce; and even the need for an iconic headquarters building. The report discusses whether the agency should be in a historic building that has been renovated or in a state-of-the-art new one — it goes into detail about everything except costs. On page 17, which sets out the terms of reference, there is a specific reference to a “costed business case”. That costed business case is not in the report, and it is essential that work to cost the establishment of an environmental protection agency is carried out.

Mr Ford: The Member mentioned the Minister of the Environment's commitment to the environment. This afternoon, the Minister gave the House a specific commitment to do some of the costing work by Christmas that the Member is referring to. I presume that the Member would not regard a report presented to the House by Christmas as being premature.

Mr Hamilton: The Minister outlined that some initial costings could be produced before Christmas,

but I will leave the detail to her and will await the results with keen interest.

The matter is important, and although some may consider the report to be wonderful, the absence of costings is pretty woeful. There are essential questions about the costs of creating and running an environmental protection agency. If the designation of areas of special scientific interest, which the Member for North Antrim Daithí McKay spoke of, is to be carried out, and an environmental protection agency performs the functions that people want it to, how much will that cost?

Resources are vital, because if they are not available, people's disappointment with the current system of environmental governance may be perpetuated by any future system. I am sure that no one who supports the need for an EPA wants to see that happen either.

I am mindful of a comment in the Macrory Report on environmental governance which, in considering options for the future, stated that fully incorporating the Environment and Heritage Service into the DOE would:

“recognize that in a country the size of Northern Ireland a more independent environment agency is too costly an exercise.”

That is worth considering, because given the tight budgetary framework within which we are living and with which we have to deal, cost is critical, and it must be addressed.

Allied to cost is bureaucracy. There is, rightly, much talk in the Chamber about the bureaucracy faced by businesses and farmers. During the mandate of the Transitional Assembly, Members supported a motion that backed the Ulster Farmers' Union (UFU) Cut it Out campaign against red tape and bureaucracy. As Peter Weir said, the UFU has made clear its concerns about increased bureaucracy through an independent EPA, and that must be addressed.

I was also struck by the comments of the Institute of Directors in its submission on the review of environmental governance. It stated that:

“a new agency will simply add another organisation, another layer of bureaucracy, another layer of costs,”

Mr Deputy Speaker: Your time is up.

Mr Hamilton: I thought that I had 10 minutes to make a winding-up speech.

Mr Deputy Speaker: Members are permitted five minutes for a winding-up speech on an amendment. I call Mr Brian Wilson to make his winding-up speech on the motion. He has 10 minutes.

Mr B Wilson: I thank the Minister for her response. I welcome her commitment to the environment, and she made some positive points. However, I was disappointed that she could not go further and accept the case for an EPA. If she had even accepted that concept, I would have considered it progress. I also

welcome her commitment to providing the Assembly with the associated costings before Christmas, and I look forward to seeing them. However, the costs are not a significant issue, because most of them relate to something that has already been carried out by other Departments, and it would merely be a case of changing Departments, rather than providing new resources.

The case for the EPA is a no-brainer, as the Minister of Finance and Personnel described another issue last week. It is disappointing that we could not get agreement today. The case made by all the NGOs has the support of the public. Moreover, we have to set up some form of EPA to comply with European directives.

I am happy enough to go along with Mr Gallagher's amendment: he recognises the need for an EPA. However, Mr Weir's amendment is merely an excuse for delay. Why did some Members argue for delay? Their arguments relating to costs — among other things — do not stand. I see no excuse for further delay: we have delayed long enough. As Mr Wells said, discussions on the establishment of an EPA have persisted since 1962, so it is about time that something was done. We have gone through many inquiries, and there is no need for any more investigations. The issues have been covered many times, and amendment No 1 is an excuse for further delay.

We must also consider European law and how it is interpreted by our judiciary. Mr Weir's reference and reaction to the dictats of Judge Weatherup are wrong. Judge Weatherup was saying that the present system is inadequate and that it does not comply with European law, and that something must be done about that. We have to do something about it, even if Mr Weir does not agree.

At a recent seminar in Belfast the chairman of the UK Environmental Law Association commented that Northern Ireland was the dirty corner of the UK when it came to protecting the environment, and added that Northern Ireland had a uniquely serious problem of weak environmental regulation and enforcement.

Northern Ireland has ignored the environment for too long, and we seem to be doing it again today. We have not looked at the impact that development is having on our environment.

The other countries of the United Kingdom introduced legislation in the 1970s and 1980s, as did the Republic of Ireland. Northern Ireland is now starting to catch up — but we are doing it very slowly, because we continue to pump raw sewage into the watercourses and the sea. I have been campaigning to end the dumping of raw sewage into Belfast Lough for more than a decade, because of the impact that it has on beaches. The Department of the Environment seems to have little concern about that, and the Environment and Heritage Service is totally ineffective.

The power station at Kilroot is the dirtiest in the UK; and although Lough Neagh is one of the most polluted lakes in Europe, it is the source of most of our drinking water. The European Court of Justice has found Northern Ireland guilty on many occasions of failing to meet minimum standards set out by European directives. Environmental pressure groups continually highlight the inadequate protection of existing wildlife, sewage pollution and poor planning as areas where the DOE has failed to protect the environment.

Mrs Foster: For the information of the Member and the House, papers have been sent to the Public Prosecution Service in the first case against Northern Ireland Water. The Member should take note of that in what he is saying.

Mr B Wilson: I thank the Minister for that information, but Northern Ireland is still doing very little to resolve long-standing problems. It appears that those problems are being further deferred today.

Mr Wells said that the problem dated back to 1962. Certainly, in 1990 the House of Commons Environment Committee called for the establishment of an environmental protection agency. The Environment and Heritage Service already deals with many of the issues that an EPA would, but it is not independent, which led to the situation in 2002, for example, in which the Environment and Heritage Service's concerns over housing hotspots were ignored to let more house building take place, and so raw sewage went on being pumped into Belfast Lough.

That is a conflict between the Department of the Environment and an independent body. A piece in today's 'Belfast Telegraph' reports that the Environment and Heritage Service recommended that the planning application for the Giant's Causeway — an argument I have no intention of entering — be rejected, and yet the Minister is minded to approve it. That shows the potential for conflict in the Department. That is why we need an independent environmental protection agency.

Mr Wells: Would the Member be surprised to learn that every other European democracy has had exactly the same arguments that this Assembly is having today, only 20 years ago? Every one of them decided to go for an independent EPA, and not one of them wants to go back to having it in central Government. Is it not unusual that Northern Ireland is out of step with everyone else?

Mr B Wilson: I certainly agree. The Member has made that point much more clearly than I have. All the arguments are in favour of an independent EPA, but it is going to take longer than I would like.

Mr Weir mentioned cost in his amendment. I am not convinced that significant costs are involved. The Environment and Heritage Service is already performing regulatory and enforcement duties, and other bodies are complying with European Union directives. Those requirements have to be met, and they are being met,

so there is no argument to be made that significant additional resources will be required.

3.45 pm

A certain amount of nit-picking is going on. Mr Weir said that we would have to cut our budgets. Which budget would we cut? Would we close hospitals or whatever else was needed in order to find sufficient funds? That is not necessary. The resources are already there but are not being used efficiently or effectively. They do not have the correct legislative balance, so they appear ineffective.

We have a long list of problems to solve, but we should proceed with the establishment of an independent environmental protection agency. I would like the Minister to give that commitment. An environmental protection agency would help us to lose our image as the dirty corner of the UK and would allow us to present Northern Ireland as having a green and clean environment that can attract tourists and investment.

Mr Deputy Speaker: I remind Members that if amendment No 1 is made, amendment No 2 will fall. If that happens, I shall proceed to put the Question on the motion as amended.

Question put, That amendment No 1 be made.

The Assembly divided: Ayes 32; Noes 41.

AYES

Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Mrs Foster, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr McCausland, Mr I McCrea, Dr W McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

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

NOES

Mr Armstrong, Mr Attwood, Mr Beggs, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Dr Deeny, Mr Durkan, Dr Farry, Mr Ford, Mr Gallagher, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Ms Lo, Mrs Long, Mr A Maginness, Mr P Maskey, Ms J McCann, Mr McCartney, Mr B McCrea, Mr McElduff, Mr McFarland, Mr McGlone, Mr McHugh, Mr McKay, Mr McNarry, Mr Neeson, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Mr K Robinson, Mr B Wilson.

Tellers for the Noes: Mr Attwood and Mr Dallat.

Question accordingly negatived.

Question put, That amendment 2 be made.

The Assembly divided: Ayes 36; Noes 37.

AYES

Mr Armstrong, Mr Attwood, Mr Beggs, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Dr Deeny, Mr Durkan, Mr Gallagher, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Mr A Maginness, Mr P Maskey, Ms J McCann, Mr McCartney, Mr B McCrea, Mr McElduff, Mr McFarland, Mr McGlone, Mr McHugh, Mr McKay, Mr McNarry, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Mr K Robinson, Mr B Wilson.

Tellers for the Ayes: Mr Attwood and Mr Dallat.

NOES

Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Mr Hamilton, Mr Hilditch, Mr Irwin, Ms Lo, Mrs Long, Mr McCausland, Mr I McCrea, Dr W McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Neeson, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

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

Question accordingly negatived.

Main Question put and agreed to.

Resolved:

That this Assembly calls on the Executive to establish an independent Environmental Protection Agency for Northern Ireland.

(Mr Speaker in the Chair)

PRIVATE NOTICE QUESTION

Classroom Assistants' Dispute

Mr Speaker: I have received a private notice question, in accordance with Standing Order 20, for the Minister of Education.

Mr S Wilson asked the Minister of Education what action she has taken since promising the Assembly yesterday that she would intervene immediately in the classroom assistants' dispute.

The Minister of Education (Ms Ruane): Go raibh maith agat, a Cheann Comhairle. Before I explain what I have done since yesterday's debate, Members should remember that the classroom assistants' dispute has been ongoing for 12 years. I do not want to see it continue for another 12 years.

If it takes the next few days to bring about agreement and a resolution, that is what we should do. We must work constantly and carefully until we reach a resolution, and it is important that the correct resolution be achieved.

In the same way in which Sammy Wilson clarified the role of the Committee for Education in such industrial disputes, I will clarify my role as Minister of Education. There are established industrial relations procedures between employers and staff representatives, so it is not appropriate for me to become directly involved in that negotiating machinery.

Nevertheless, as Minister, I have a role to play in facilitating and encouraging both sides to reach a resolution on the outstanding issues. Yesterday, after I had informed Members of my intention to intervene, I immediately directed officials to ensure that management side be made aware of my call for the employment authorities to proceed as swiftly as possible to implement the new grading system so that those valuable staff receive the pay rates to which they are entitled.

Ba mhaith liom a rá go poiblí nach bhfuil cothrom na Féinne ann do chúntóirí ranga agus gur mhaith liom réiteach na faidhbe seo a fheiceáil trí chainteanna.

I believe that classroom assistants have been unfairly treated, and I want to see the dispute speedily resolved through dialogue. I directed officials to ensure that management side convened a meeting with representatives. That meeting took place yesterday evening.

I was kept closely informed throughout the evening, and, as soon as the meeting ended, I ensured that officials arranged further meetings for today, and I reminded them that we would be staying with the dispute for as long as it took.

Throughout the morning, I have held meetings with officials. I have cancelled several engagements that I had planned for today so that I can focus on the matter. Before the debate, I had arranged a meeting with employers that will take place later today. Of course, I am willing to meet unions as well if that would be helpful to them. This morning, in various media interviews, I repeated my desire to avert strike action and to encourage both sides to continue to seek a settlement.

4.15 pm

Nílím ag iarraidh cinneadh a fhorchur. Ba mhaith liom conradh gan mhoill, agus déanfaidh mé mo sheacht ndícheall seo a chur i bhfeidhm.

I want an agreement to be reached, and I am doing everything in my power to ensure that that is the outcome. As I stated in yesterday's debate, the issues are part of a bigger picture. The Assembly must give wider and more fundamental consideration to its approach to the planning and management of the education workforce in schools. I have, therefore, directed officials to commence work on drawing up draft terms of reference. To that end, I have passed on helpful correspondence that I have received from UNISON and from the Association of Teachers and Lecturers. Although outstanding issues remain at an advanced stage of negotiation, I am determined to encourage a lasting resolution to the dispute. It is vital that we all work to avoid any disruption to the education of children.

Some Members who were instrumental in yesterday's debate did not perform too well and now seek to have another go. Such an approach does a disservice to children and to classroom assistants.

Mr Speaker: Order. The Minister has the Floor.

Ms Ruane: Níl na cúntóirí ranga ag iarraidh liathróid pholaitiúil — “political football”, for those who do not speak Irish — a dhéanamh as an díospóireacht seo, nó tá roinnt Comhaltaí Tionóil ag déanamh pointí polaitíochta as an ábhar.

Classroom assistants do not want the debate or negotiations to be turned into a political football, with some of the Members who sit opposite seeking to score political points off their backs. Go raibh míle maith agat.

Mr S Wilson: I am glad to see that the Minister is in the same bad mood today as she was in yesterday. However, one thing is certain: she is not in as bad a mood as the unions and the Members of the House.

Mr McElduff: Is the Member coming to his question?

Mr Speaker: I assume that the Member is coming to his question.

Mr S Wilson: I am coming to it immediately.

The Minister said that she has kept herself directly informed of the dispute. If that were so, perhaps she can explain to the House why she admitted that she was unaware of correspondence that was sent by her Department to the management of the education and library boards.

Mr B McCrea: Will the Member give way?

Mr S Wilson: I will give way if it is in order to do so.

Mr Speaker: It is not the convention to give way in this instance.

Mr S Wilson: Yesterday, the Minister told the House that she would intervene immediately. However, today, she tells us that she cannot become directly involved, talk about negotiations, or meet representatives from either side because she is supposed to remain above involvement in the dispute. What is her role? Will she make a commitment to the Assembly, as a matter of urgency, to meet the people who are involved in the dispute, put some fresh ideas on the table, and employ departmental resources in order to ensure that the people who she says are not getting a fair deal will get a fair deal?

Ms Ruane: The letter that the Member referred to was issued without my ministerial consent or authority — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

Ms Ruane: I will repeat what I have just said in case any Members did not hear me over those who were heckling: the letter was issued without my ministerial consent or authority. The permanent secretary, in his capacity as departmental accounting officer, felt that it was necessary to issue the letter. Later yesterday morning, I was informed that it had been sent.

I am the Minister, not the employer. I cannot usurp the role of employers, nor would it be right to create a situation where there are parallel negotiations. I have undertaken to intervene, with three objectives in mind. Before I mention those objectives, I hope that the Member who raised the matter will listen next time. I did not say that I could not meet people in the dispute. I said that I am meeting the employers today, after I have answered this Private Notice Question.

First, I intend ensuring that the interests of the children, classroom assistants and parents are paramount. Secondly, I want the employers to pay those staff the money that they deserve, and for which they have already waited too long. Thirdly, I want to facilitate the discussions between the management and unions so that outstanding issues can be resolved. I have already suggested one way in which the concerns of classroom assistants could be addressed, and that is by undertaking a much wider, and more fundamental, review of the roles of those working in education.

PRIVATE MEMBERS' BUSINESS

Republican Parade

Mr Speaker: The Business Committee has agreed to allow one hour and 30 minutes for the debate. The Member who is proposing the motion has 10 minutes to speak, and 10 minutes for the winding-up speech. All other Members who wish to speak will have five minutes. One amendment has been selected and published on the Marshalled List. The proposer of the amendment has 10 minutes in which to propose, and five minutes for the winding-up speech.

Mr McCausland: I beg to move

That this Assembly believes that Belfast City Centre should be a shared space; deplores the Sinn Féin sponsored parade to the City Hall on Sunday, 12th August 2007, which involved depictions of I.R.A. terrorists and participants carrying guns; and calls on the PSNI and the Parades Commission to ensure that this never happens again.

The demonstration in the centre of Belfast on Sunday, 12 August 2007 was one of the most disgraceful episodes that we have seen in the centre of our capital city in quite a long time. There were many paramilitary trappings about it, and it raises serious questions about the PSNI, the Parades Commission, and Sinn Féin. The national H-block committee submitted the application forms for three main parades and one small feeder parade — a north Belfast parade from Ardoyne, via the Cliftonville Road and the New Lodge Road; a west Belfast parade which came from Twinbrook; and an east Belfast parade from Short Strand, which travelled along East Bridge Street and May Street to the city centre.

The application forms which were submitted to the PSNI, by the organisers, listed the republican bands that were to take part in the parades — many of which were known for their paramilitary dress and symbolism. Some of the bands are named after IRA terrorists; for example, the Martin Hurson republican flute band, the Ed O'Brien republican flute band, and the Burns/Moley republican flute band. A whole series of bands is named after IRA terrorists. We do not have time today to list the crimes of which those terrorists are guilty.

Mr Speaker: Order. The Member has the Floor.

Mr McCausland: Anyone, in my view, who is a member of the Irish Republican Army is a terrorist.

Mr Storey: Given Gerry Adams's continual problem with accepting the fact that he was a member of the IRA — something that he continually denies — and given the republican movement's continual denial of its 40-year sectarian campaign, does the Member agree that if a so-called "march for truth" were to be organised, that republicans would be the last people asked to do so, and that Gerry Adams would be the last person invited to speak at that event?

Mr McCausland: I agree entirely with the Member. Again, I point out that we do not have time today to list the crimes of some of those people after whom the bands are named, for example, the volunteer Sean McIlvenna republican flute band. McIlvenna was one of a group of IRA men who planted a 1,000 lb bomb that seriously injured a number of UDR soldiers.

My key point is that when those parades were notified to the Police Service of Northern Ireland, the application forms were marked “non-contentious” — even though the names of the bands were known. The police would not have known about everything that was going to happen on the day. They would not have known that people were going to walk around the centre of Belfast carrying guns. They would not have known that people were going to walk around in masks and uniform. However, they would have known enough to know that there would be something very contentious and serious about those parades. Yet the police in both north and west Belfast marked the application form for the parades “non-contentious”. That raises a serious question about the operation and activities of the police in that regard — there was a dereliction of duty and a failure on their part. We have already taken that matter up with the Assistant Chief Constable.

When it then came to passing the forms on to the Parades Commission, the only form that was passed on was the one for the east Belfast parade. The Parades Commission looked at the form and said: “There is nothing contentious about that parade. We will place no conditions and no restrictions on it.” The commission made that decision even though it knew the names of the bands that would, potentially, take part in the east Belfast parade.

Thus, the PSNI failed in its handling of the matter. Those parade applications should have been marked “contentious”. All the applications should have been sent to the Parades Commission, and there should have been a determination on each of them. In the case of the east Belfast parade, there was a failure on the part of the Parades Commission. When the Parades Commission was subsequently presented with some of the footage, films and photographs of the parade, it was quite appalled by what it saw — as, indeed, were the police. So there are issues for the PSNI and the Parades Commission, and I want to leave it there because the motion:

“calls on the PSNI and the Parades Commission to ensure that this never happens again.”

I want to concentrate on the fact that there is an issue here for Sinn Féin. The whole parade was organised by the national H-block committee, but, it was, in fact, a Sinn Féin parade. The chairperson was Jennifer McCann, a Sinn Féin MLA, and the main speaker was Gerry Adams. So the chairperson was a convicted terrorist, and the speaker was an unconvicted terrorist.

Of course, there was a high class of steward: Sean Kelly, the Shankill bomber, was one of the stewards on the day. It is interesting to note that one of the organisers was none other than Sean “Spike” Murray. He organises a parade such as this, but, at the same time, has no difficulty with sitting on the parades review body. Moreover, he has no difficulty with complaining about Orange Order parades in west Belfast, while being involved in the organisation of a parade, the character of which I will come to shortly. It is abundantly clear that this was a Sinn Féin event — it was organised and fronted by members of Sinn Féin and members also of the IRA.

That brings me to the parade itself and the sort of thing that could be seen on the day. From the Maiden City, Londonderry, there was the Spirit of Freedom republican flute band. They brought two bass drums — with one drum, gunmen can be painted on only two sides, but with two drums, there are four sides on which to paint. They managed to get “*tiocfaidh ár lá*”, a tricolour and a masked gunman on one drum and two IRA masked terrorists with heavy machine guns on the other. That is the sort of thing that was depicted on the drums.

It could be said: “Well, we did not know what was going to happen on the day”, even though the bands’ websites clearly show the sort of paraphernalia that they regularly use, but it was not just a matter of the bands — there were, of course, the Sinn Féin banners. The south Armagh band, which is named after a number of IRA terrorists, was carrying a Sinn Féin banner. What was depicted on it? Once again, it was IRA gunmen. So the bands were carrying drums with depictions of gunmen, and so on, Sinn Féin members were carrying banners with similar depictions, people such as Sean Kelly were stewarding the march, and a masked man was walking through the city centre carrying a gun. We do not know whether it was a real gun or a replica gun, because the police did not stop the man to ask him. That is why the word “gun” is used in the motion — because we simply do not know whether it was real or a replica.

Nonetheless, that was clearly one of the most appalling parades that has taken place in Belfast in a very long time. At a time when others were seeking to improve the quality of parading, Sinn Féin, including “Spike” Murray of the parades review body, was busy organising a parade such as that in the centre of our capital city.

4.30 pm

I want to make just two more points, because I know that other Members want to address various aspects of that parade. There were folk in that parade who were carrying coffins and who were supposed to be the victims of collusion. That says something to me

about the absolute hypocrisy of Sinn Féin. It had people there carrying coffins, but Sean Kelly put people in coffins. Other key figures who were there that day had been putting people in coffins for the past 30-odd years.

The parade was supposed to deal with collusion. Is there not something hypocritical about that, when it is quite clear, and becoming clearer every day, that there has been collusion between the security forces and the Irish Republican Army? People such as Denis Donaldson paid the price for that collusion. What about the others, however, who have yet to be uncovered?

Mr Storey: In this House.

Mr McCausland: Possibly. Who knows? But if it is the time for truth — a point which my colleague raised a few minutes ago — surely the onus is on those who organised and facilitated that parade to give us the truth. Maybe Gerry Adams, who oversaw the IRA in 1972, will tell us who was responsible for Bloody Friday. Maybe Martin McGuinness could tell us who was responsible for the crimes and the murders that were carried out by the IRA when he was in charge. There is a lot of truth that needs to be told, and instead of having a parade about it, Sinn Féin could do much, much more to uncover the truth by simply owning up and giving us the names of the terrorists in its ranks who perpetrated a campaign of murder for 30-odd years.

Mr A Maginness: I beg to move the following amendment: Leave out all after “Assembly” and insert

“believes that public spaces should be shared; deplors any parades that include depictions of terrorism; and calls on the Police Service of Northern Ireland and the Parades Commission to ensure that parades are free from displays of paramilitarism, including banners, insignia and uniforms.”

This Back-Bench motion from the DUP is as hypocritical and as prejudiced as the march that it purports to criticise. It is an exercise in political therapy, the purpose of which is to comfort and reassure the DUP that the certainties of the old politics still exist. We have moved on, however, and Mr McCausland's party leader shares the Office of the First Minister and the Deputy First Minister with Martin McGuinness of Sinn Féin.

We now have a Sinn Féin/DUP Government, and it is important that the Back-Bench Members of the DUP realise that. They can produce political gimmicks and motions to make them feel happy and comfortable, give them a warm, orange glow in their tummies and make them believe that they are still in the trenches, but I am afraid that that day is gone. We now have an Administration in which the DUP is involved with other parties, but in which it primarily shares power with Sinn Féin. It is time for grown-up politics. It is time that people in this Chamber, and in particular the Back Benchers of the DUP, realised that there is a new dispensation.

Mr Campbell: The Member has used the term “Back-Bench motion” three times. He should understand that the motion has the unanimous support of all MLAs on the DUP Benches. Does he accept that what he has said about what exists now and reminding people of their vicious, sectarian, murderous past are not mutually exclusive?

Mr A Maginness: The Member says that the motion has the unanimous support of the DUP. That might well be the case, but there are no Ministers here, and I doubt that any Minister will contribute to the debate. There is a strong element of phoney warfare in the Chamber. This sort of adventure, primarily by the Back-Bench Members of the DUP, is permitted in order to keep the troops happy and to keep their support base happy back at home. As we are in a transition period, the leadership of the party does not want the boat rocked, so it allows this sort of thing to happen. The sooner that the DUP wakens up to the fact that it is in coalition government, the better.

The motion is selective: only two years ago guns were brought out by paramilitaries during the September riots in Belfast, and very little criticism was heard from the DUP. In Belfast City Council, where I was a member, there was very little —

Mr Newton: On a point of order, Mr Speaker. That is totally inaccurate. As Alban knows —

Mr Speaker: That is not a valid point of order, I ask the Member to take his seat.

Mr A Maginness: As a result of the police action, members of the DUP, and other unionist parties, removed themselves from the district policing partnership (DPP) in Belfast. They did not show support for the police in difficult circumstances, and any criticism of the riots was superficial and restrained. Members of the DUP rarely criticise paramilitary displays and Orange marches that have paramilitary displays or associations. Anyone is free to check that through newspapers and television transcripts.

Selectivity is at the heart of the motion, not only on the part of the DUP but also on the part of Sinn Féin. Sinn Féin called the August parade a “march for truth”. However, Sinn Féin's truth is a selective one. It calls for truth about the Army and the RUC. What about the truth about the IRA itself, people such as Stakeknife, the murder of Jean McConville, the Abercorn bombing and the deaths of the IRA men at Loughgall? Sinn Féin and the IRA do not want to get involved in those issues, because their approach is selective. Let us march for truth and find out the truth of what happened during the Troubles. We have nothing to hide; we want to see the truth. Members should unite to have a total truth recovery mechanism. All parties, in particular Sinn Féin, should support that.

Both the DUP and Sinn Féin are selective about the truth and criticising paramilitary activity. If a UDA demonstration had taken place, Sinn Féin would certainly have criticised it. If it had been a UVF or a DUP demonstration, Sinn Féin would have criticised it. Any form of paramilitary display is to be condemned. Gerry Adams referred to it as a piece of street theatre, but those who witnessed it and saw it on television did not see it like that.

They found it frightening and intimidating, and did not regard it as theatre.

I have witnessed Orange marches passing the Ardoyne shops: is that supposed to be street theatre? Could someone describe such a march, with its terrible sectarian overtones, as street theatre? It certainly is not, and to describe the march for truth as street theatre is misrepresentative. It was triumphalist and intimidatory and, in effect, it perverted rather than discovered the truth. It was totally wrong.

Town centres, and indeed towns and villages, should be shared spaces. Society has no room for paramilitary displays or anything similar. People must genuinely share the open or common spaces, and no one should be selective in the condemnation of those who transgress. Everyone should be supportive of a shared society; part of that involves being tolerant of free expression. However, there are limits to the way in which people should express themselves. Those who go out of their way to intimidate or express any form of paramilitarism do not serve the whole community well.

I propose the amendment, because it does away with the selectivity of the DUP motion, draws attention to the need for genuine sharing in society and condemns all forms of paramilitarism.

Ms J McCann: Go raibh maith agat. I oppose the motion and support the amendment.

Belfast city centre should be a shared space for everyone, including republicans and nationalists. I remember being part of a group of women, from Belfast and beyond, who gathered on international women's day, 8 March, in 1991. The RUC and the British Army prevented us from holding a rally at Belfast City Hall. We were not marching past the homes of loyalists or unionists who did not want us to be there. We were simply seeking the right to hold a rally at the City Hall to mark international women's day, but a military barricade prevented us from doing so. However, we returned time and time again and, on 25 July 1991, we were able to hold the rally at Belfast City Hall.

On 12 August 2007, I was proud to take part in the march and rally for truth at Belfast City Hall and honoured to be asked to chair it. It was organised to draw attention to collusion and British state violence, a policy that resulted in many thousands of victims being killed, injured or bereaved, and to highlight the

administrative and institutional cover-up by the British Government and their state agencies. Many relatives who lost loved ones carried photographs of their dead relations that day and, as has been mentioned, there were several pieces of street theatre.

The street theatre portrayed armed RUC men, UDR men and British Army personnel who were linked to armed loyalists. There were also images of the Force Research Unit and former members of the British Cabinet to illustrate the extent and the level of the institutional state violence and collusion.

Today, it would have been more productive to discuss and advance the serious issues of collusion and truth to help all the families whose loved ones died as a result of the conflict.

4.45 pm

Collusion existed as long as the conflict itself. It was not the act of renegades or a few bad apples, as some people would have us believe: it was an integral element in the armoury of the British military, which was financed and sanctioned by successive British Governments. Collusion was at the very heart of British state policy in Ireland and was responsible for the deaths of hundreds and hundreds of Irish citizens. Their families have as much right to pursue the truth about the murder of their loved ones as anyone else. It has been argued by some today that there was republican collusion because there were British agents in the IRA. At the march, our party leader stated clearly that this dimension of British strategy should also be investigated.

I object, as do many relatives, to any notion that there is a hierarchy of victims and that some families are more entitled to the truth than others, or that some relatives are less deserving than others, simply because of the circumstances surrounding the deaths. No one should be treated as a second-class citizen. Over the years, there have been many examples of relatives and relatives' organisations being insulted and demonised by those who speak on behalf of political parties, because they dare to seek the truth about how their loved ones died. The dignity with which those families have conducted their campaign to uncover the truth, and the determination that they have shown when political representatives have attempted to trivialise that campaign by engaging in the politics of denial, must be commended.

In my constituency of West Belfast, the Power family's son Michael was gunned down in front of his young daughter as he travelled home from Sunday mass — a victim of collusion — and the Hanna family's daughter Philomena was shot dead at work. Those families and hundreds more like them have every right to march for truth and to hold photographs of their loved ones at the City Hall. It is wrong to have

a hierarchy of victims. Families of all victims of the conflict deserve to be treated with respect and dignity. We should not fear the truth. Those families are determined to pursue the truth, and Sinn Féin is determined to help them in that campaign, even though it may take a long time. If we are to build a society based on equality and respect for all, it is important to deal with the difficult issues —

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

Ms J McCann: — and looking after the rights of all victims and their families in an inclusive way must be part of that. No one in the Chamber or outside should fear the truth.

Mr Kennedy: I thank the proposers of the motion for bringing this matter before the Assembly. The march for truth rally — as it was optimistically and euphemistically called — of Sunday 12 August had Sinn Féin's mucky paws all over it, both in promoting it and in attending it. The march was something of a fancy-dress party, but with menace. Individuals posed as IRA men — presumably no acting required there then — and there were other types of dressing up, described by one leading Sinn Féin MLA as "street theatre and pageantry". It was not so much a jamboree, as a ghoulish gathering. Some witnesses felt threatened by the actions of those involved in the parade, including a constituent of mine who is a leading campaigner on behalf of innocent victims. He was verbally abused by many so-called street artists.

It is interesting to compare the behaviour patterns of the organisers and protesters with a code of conduct handed down by that august body, the Parades Commission, in 2006. On behaviour, the code states that people should:

"behave with due regard for the rights, traditions and feelings of others in the vicinity;

refrain from using words or behaviour which could reasonably be perceived as being intentionally sectarian, provocative, threatening, abusive, insulting or lewd;"

On dress, the code states:

"No paramilitary-style clothing is to be worn at any time during a public procession."

On flags, the code states:

"Flags and other displays often have a legitimate historical significance, but in no circumstances should such items relating to a proscribed organisation be displayed."

Well done the Parades Commission. We can add to those flagrant abuses of the code of conduct, the charge that those present were simply engaged in the glorification of terrorism.

The march for truth is symptomatic of the hole that Sinn Féin has dug itself into over parades. Although the strategy of using political street protests against Loyal Order parades, which Sinn Féin developed in the

late 1990s, was initially declared successful, it is now working disastrously against Sinn Féin. The genie is out of the lamp, and history confirms that it is hard — if not well nigh impossible — to get the genie back in.

In the era of a bright and shared future for all, we are left with the ugly and unattractive expressions of republican street theatre and with gridlock —

Mr McCausland: Will the Member give way?

Mr Kennedy: Yes, but briefly.

Mr McCausland: Will the Member agree that Sinn Féin has made no attempt to defend itself against the accusations of paramilitary symbolism?

Mr Speaker: A Member who gives way and who has spoken for less than five minutes has an extra minute added on.

Mr Kennedy: Thank you for your kindness, Mr Speaker; you are a very generous man.

We are left with the ugly and unattractive expressions of republican street theatre, in addition to gridlock and impasse at important locations such as the Garvaghy Road in Portadown, where it is abundantly clear that Sinn Féin has lost control locally of key individuals.

Sinn Féin needs urgently to rethink how its protests affect its public image and to try to find an urgent resolution to the issue of Drumcree, which — if left unresolved — will continue to fester and eat away at political stability in Northern Ireland. I support the motion.

Mrs Long: It is convention to thank Members for bringing matters to the Floor for debate. However, on this occasion I will refrain from doing so, as I suspect — judging by the contributions so far — that it is unlikely to be an edifying, uplifting, or enlightening episode. That judgement is based on my experience of similar debates in Belfast City Hall, which are the political equivalent of poking a dog with a stick — more designed for a reaction than delivering progress. Such baiting across the Chamber does the Assembly very little justice, and more importantly does no justice to the community outside.

Depictions or glorification of any illegal paramilitary or terrorist activity are deplorable, and I have no difficulty in stating that. Therefore I have no difficulty with the wording of the motion, except that it is an attempt to deal with a complex issue on a purely selective basis. Selectivity on parades or the past is neither helpful nor constructive; it is more likely to damage than advance the prospects for a peaceful future.

It is good practice during a debate to respond to comments from other Members, but again I will refrain from doing that as it would not be productive. I will try to focus on the wording of the motion and the amend-

ment, which refer to the responsibility of the Parades Commission and the PSNI. The primary responsibility for the tone and conduct of any parade lies with the organisers, whether they are political groups, Loyal Orders or any other grouping. Organisers must show respect not just to those involved in a parade but to those who are not. The rights to assemble, march and demonstrate are not unqualified — they must be exercised responsibly and with respect.

Both the motion and the amendment refer to shared space. If we really want to create stability in Belfast and throughout Northern Ireland, we need to share more than just space.

We must share a commitment to work together for a better future. That requires people to be measured in how — not whether — they raise issues in the Chamber or outside it. If Members in the Chamber — and people outside it — want to find ways of inflaming tension through provocative displays and parades or through provocative debates in the Chamber, we can do that. However, the question is not whether we can, but whether we should.

For the sake of the community, Members must focus on trying to move things forward, rather than back. If we are going to debate the difficult issues, let us do so in a productive and constructive manner, rather than the manner in which we are doing it today, and the manner in which it was done in August. I support the amendment.

Mr Newton: It will come as no surprise that I support the motion. I am surprised at the attitude of the SDLP in tabling the amendment, because a similar — almost exactly the same — motion was debated in Belfast City Council some months ago, when the SDLP did not take part in the debate or vote on it; its members abstained. That suggests — as one of my colleagues said — that the SDLP is selective in how it approaches issues.

In proposing the amendment, Alban Maginness said that there was a need for grown-up politics in the House, and I agree with him. However, he misled the House through his comments about the attitude of unionist members of district policing partnerships to the very serious rioting that happened two years ago in north Belfast, and which spread to the east of the city. At one stage, 700 young men and women were rioting on the Albertbridge Road. He referred to unionists vacating their seats on the DPPs, and commented that that was a negative reaction.

Had that not happened, I believe that the rioting would have been worse, because the withdrawals from the DPPs acted as a steam valve releasing pressure. After the unionists vacated their seats, intensive work was done with the police to resolve the situation, and the conditions were created in which the unionist

community felt comfortable and elected representatives were prepared to, again, play a positive role in DPPs.

Senior Sinn Féin figures have mentioned street theatre, but that is similar to how Michael Stone described his actions when he attempted to enter this Building, and I do not think that anyone regarded his actions as street theatre.

Mrs Long spoke on behalf of the Alliance Party in the debate. It is not so long ago that an incident occurred at a bonfire site in the east of the city, when masked men appeared at an event that was supported by Belfast City Council. There was extensive debate in the Belfast City Council chamber as to whether that activity on the eleventh night — by men dressed in paramilitary uniform — should be condemned. Ultimately, the community was condemned because the Alliance Party was involved in removing funding for the Twelfth celebration bonfire for the subsequent year. One cannot have it both ways.

5.00 pm

There never was a march for truth. If ever an event was misnamed, it was that march into the centre of Belfast. The march was riddled with duplicity and deceit. When Gerry Adams spoke about truth, there was only one truth he was concerned with. He failed to mention the hundreds of innocent Roman Catholic people who were murdered by the IRA; the thousands of innocent people who were injured by republican thugs, and the millions of pounds worth of damage that the republican campaign did to the economy of Northern Ireland. He did not make one mention of the businessmen who were contributing, and would have continued contributing through inward investment, but who were driven away from the doors of the job-creation agencies of Northern Ireland.

One would expect those with a unionist perspective to view the march as a shameful event, but even neutral observers — foreigners visiting Northern Ireland — were concerned at the presence of some of the people to whom my colleague Nelson McCausland referred. The real purpose of the rally was to assuage the concerns of Sinn Féin followers who are finding it difficult to live with the political realities of today.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. First, the House should consider the issue in a cool and collected way. Although the motion may not be welcomed as one of the more beneficial aspects of debating in the Chamber, and while there are probably better things that we could do, it is useful in helping Members to focus on the difficult issues and how those can be managed in the future.

I agree with the idea that the Assembly believes that Belfast city centre should be a shared space. Having taken part in the civil rights marches 40 years ago, I share the idea that town centres should be shared spaces

that are open to everyone. On many occasions, I was battered out of town centres, such as in Dungannon, by the RUC.

Mr Storey: Given the fact that the Member is admitting that he was in the civil rights movement and was engaged in other things, would he tell the House if he was ever a member of the IRA?

Mr Speaker: The Member may take an extra minute.

Mr Molloy: Thank you for the extra minute. The shared space that the civil rights movement tried to create in Dungannon but was battered out of, led to the situation in which we were trying to gain political control.

The imagery used in the motion is that of RUC men, UDR men, those involved in undercover operations in collusion with loyalist paramilitaries, and the Glenanne gang. All of those were very clearly identified. In some cases, they were in makeshift RUC and UDR land rovers. If that is the DUP's impression of terrorists, then it is what we have seen for the past 30 years on the Falls Road. I am surprised that the DUP is so annoyed at seeing the imagery of the British Army back on the Falls Road. Surely, that should not annoy unionists.

Mr Kennedy: Will the Member give way?

Mr Molloy: No, I will not give way again.

The parade was about the truth. If Mr Storey and others are calling on the British Government to tell the truth about collusion, and the activities of the British Army and the RUC in undercover operations, I am quite willing to go along with the DUP and demand that same explanation. The march was about the victims of state violence and collusion, who have come through the past 30 to 40 years of conflict, coming on to the street to hear the truth exposed. They wanted the truth about what happened to their loved ones, and that applies to RUC victims, UDR victims and loyalist victims, because Gerry Adams addressed all the victims and said that he wanted truth for all victims. He was not selective.

The families wanted to know why their loved ones were victims; why they were shot; why they were murdered, and why they were murdered by the Glenanne gang. There was a person who wanted to know the role of the British Army, the British Government, the Irish Government and the gardaí in the collusion with the Glenanne gang over the Dublin/Monaghan bombings.

As so many people seem to have been observing the parade, it might have been worthwhile if they had actually listened to what was being said. Perhaps it reflects more on them that they did not.

Street theatre has an important role to play. We should lighten up a bit. The shared future in Belfast and other city and town centres should mean a shared future for everyone, in which everyone can present their case.

Pageantry contains violence. The Scarva sham fight involves violence, with men fighting with swords and pretending to kill one another. Is that not an example of violence? Is that not the same situation? The families of victims from the murder triangle on the march were looking to discover the truth about RUC men who were involved in collusion with loyalist paramilitaries in that area.

Yes, I want to see the truth come out, and for it to be dealt with. Mr Kennedy talked about fancy dress. Many nationalists and republicans perceive some of the activities in which he is involved, such as band parades, to be just a bit of fancy dress. Everyone's perception of what others do is very much an issue of fancy dress, and perhaps Mr Kennedy knows more about fancy dress than I do.

Mr Kennedy: Will the Member give way?

Mr Molloy: Perhaps when he is talking to —

Mr Kennedy: Will the Member give way?

Mr Speaker: Order. The Member should not persist.

Mr Molloy: When he is talking to the South Down Defenders and beating the drum along with them — he can only beat one drum at a time, I know — he should take into account the imagery that he sends out to the nationalist community.

I welcome the comparison that Mr Maginness from the SDLP drew between the IRA and the British Army during the conflict between the Irish Republican Army and the British Government. Unionists must be careful in their attempts to demoralise by simply calling all the victims "those who were involved in terrorism". That is their way of dealing with the situation. Unionists should look at how the image of calling the IRA volunteers "terrorists" comes across in other parts of the world.

I am open to the idea that prison wardens, the RUC, the British Army and others were let down and betrayed by the Government that they thought they were supporting, and that the Government ran away and abandoned them. I accept that unionists want to know the truth about all that, and I support them in that. However, instead of complaining about the fact that a march was taking place in Belfast on 12 August 2007 — three days after the anniversary of internment — people came out demanding to know the truth of what happened, and I welcome that. Go raibh maith agat.

Lord Browne: As a humble Back-Bencher, I support the motion that stands in my name and in the name of my three party colleagues. Rather than be perceived as a provocative attempt to stir up tension or ill feeling, I hope that the motion will be seen as a measured and appropriate reflection of the horror and disgust that rightfully emerged following the Sinn Féin-sponsored so-called march for truth.

Terrorism has no place in our society, nor has the petty glorification of the sordid deeds of our past, especially if that glorification is an attempt to shore up Sinn Féin support among an outdated, defeated bunch of despots and retired revolutionaries. The parade was a pathetic, unwarranted and unnecessarily hostile display — *[Interruption.]*

Mr Speaker: Order.

Lord Browne: — of the worst elements in our society, and one that the Chamber should unite against today. Unfortunately, although some may have seen the dangers attached to such a parade, those in the Parades Commission and the PSNI seemed to be oblivious to the divisive effect that such a display could have. If one were to trawl through the Parades Commission website, one would see that almost every parade that is organised by the Loyal Orders that enters any shared space in Belfast, or potentially passes by a predominately nationalist area, is marked “contentious”. In contrast, the only parade marked “contentious” on 12 August was the national H-Block committee feeder parade from my constituency of East Belfast. That was despite the fact that each of the parades contained well known IRA-associated bands. As we have heard, those bands had images of terrorists, criminals and murderers on their drum skins.

The fact that the Parades Commission failed even to consider the potential contention that such elements could cause raises serious questions about its capability and impartiality on such matters. Thank goodness that we now have a strategic review of parades and, it is to be hoped, a more appropriate method of dealing with every public procession in Northern Ireland.

The Parades Commission cannot prohibit parades or circumvent human rights; however, it can use its powers to restrict a parade to the same effect — it does so in the unionist community all the time. For it to not even recognise the need to consider restrictions for every section of that parade, apart from the contingent from the Short Strand, is as inexcusable as it is inexplicable.

Consider the flip side for a moment. When any reference is made during Loyal Order parades to the historical UVF or the sacrifice of the 36th Division at the Somme, members of Sinn Féin wax lyrical about the sensitivities of the victims of the Troubles and the potential for adverse community relations.

Mr Spratt: Will the Member agree that difficulties within republicanism as a result of recent Sinn Féin U-turns have obviously panicked that party into portraying itself as hard line in order to quell discontent? Sinn Féin has entered the Assembly, gleefully administers British rule, accepts the British judicial system and has pledged its support for the Police Service of Northern Ireland.

Lord Browne: I thank the Member for South Belfast for that contribution. This parade was simply an attempt to shore up Sinn Féin’s support.

When the highly professional Ulster Volunteer Flute Band from east Belfast took part in a private function in Belfast City Hall on 11 July, as part of the Orange Order’s Orangefest celebration, the Member for West Belfast Paul Maskey did everything in his power to ensure that the event did not proceed. He continues to raise the matter in the council, describing it as an unacceptable event in the shared space of the City Hall. However, when masked men in paramilitary uniforms took to the streets of Belfast city centre in some misplaced search for the truth, his brother the Member for South Belfast refused to see any problem.

As Members have heard, Sinn Féin regards the whole parade as street theatre — something that everyone could enjoy. To contrast such a gratuitous display with a thoughtful stage drama such as ‘Observe the Sons of Ulster Marching Towards the Somme’ beggars belief.

If Belfast City Hall cannot accommodate a skilled flute band in a private function which commemorates the sacrifice of those who offered us the freedoms of association and speech that Sinn Féin so easily abuses, Belfast’s city streets certainly should not play host to masked gun-toting terrorists and the supporters of a wicked and intolerable past.

I commend the motion to the House, and I hope that Members send a clear, unamended message to those who have yet to move on that the glorification of terrorism is not — and will not be — acceptable in our society.

Mr O’Dowd: Go raibh maith agat, a Cheann Comhairle. This motion, whatever the intention, is a complete and utter waste of time. Members have no power over the Parades Commission. I thought that the DUP, and members of the Orange Order within the DUP, did not talk to the Parades Commission. I am delighted to hear that they are now engaging with it. The Parades Commission is not at the top of my Christmas card list either, but I am glad to see the engagement. If members of the DUP have issues relating to that parade, they must bring them to the Parades Commission. There is no point in bringing those issues to this Chamber.

Mr McCausland: Will the Member give way?

Mr O’Dowd: I will not.

We have no powers over the PSNI — because, apparently, the DUP is not ready. In any case, members of the DUP went to the PSNI and lodged a complaint. No one, to the best of my knowledge, has been questioned about any offence at that parade, and it is worth noting that no arrests were made on the day, even though thousands upon thousands of people were on the streets. The number of PSNI officers required to

marshal the parade was minimal, and none of them was wearing body armour or riot gear — just short-sleeved shirts on a nice Sunday afternoon, watching the parade pass. The DUP has made its complaint to the PSNI — the PSNI can deal with it.

It is also worth noting that there has been no ministerial response. What is the point of tabling a motion in an Assembly that has no powers to deal with the issues raised? Alban Maginness has suggested reasons why the motion was tabled, and I agree with most of them.

5.15 pm

Perhaps the media attention that followed the debate in Belfast City Council excited some of my colleagues on the opposite Benches. It took four Members from Belfast to sign the motion, some of whom represent the most deprived wards in Belfast. However, I will return to that issue.

The proposers of the motion felt so strongly that the most important thing that happened during the summer was a peaceful parade that they wanted to debate it twice. They could have debated the attempted murder of a police officer on 21 July — but no, loyalists were responsible for that. They could have debated rioting in Bangor, during which there was an attempt to murder PSNI officers — but no, they will not debate that. They could have debated the statement by a senior Ulster Defence Association member that loyalists would no longer marshal Orange Order parades — but no, they will not debate that either.

Mr Kennedy: On a point of order, Mr Speaker. Are Members allowed to engage in what might be called Chamber theatre during a debate?

Mr Speaker: I am aware that some Members have been using visual aids in the Chamber. It is not right to use visual aids in the Chamber at any time.

Mr Kennedy: Apologise.

Mr O'Dowd: Nelson has a folder full of photographs.

Mr Speaker: Let me be clear; the rule applies to all Members.

Mr O'Dowd: I had better not crumple my last piece of paper in case I offend sensitive Members. The proposers of the motion could also debate loyalist bonfires. The names of young Catholic children who died of heart attacks and other ailments were attached to a bonfire. When the father of one of the children removed them, his house was attacked by a loyalist mob — but no, they will not discuss that issue either. Instead, they choose to debate a peaceful parade through the streets of Belfast for no other reason than to gain some headlines. However, I suspect that the media might be as bored with this matter as everyone else is.

Do the proposers from North and East Belfast have nothing better to do with their time? Do they honestly believe that their constituents sent them here to discuss this issue? North Belfast has some of the most deprived wards in Ireland. Such levels of unemployment and deprivation must be rectified, and the Assembly is charged with rectifying them. That is something that we can deal with.

In East Belfast, the heart of manufacturing industry —

Mr Storey: Youse bombed it.

Mr Speaker: Order. The Member has the Floor.

Mr O'Dowd: — the manufacturing industry has collapsed. Would Members not better spend their time doing something about that? I know that Sammy Wilson skips between east Belfast and Larne. Larne has its own problems. Is there nothing going on in Larne that would be a better subject for debate in the Assembly?

No decision can result from this debate; there will be no ministerial response. If Members are serious about wanting a result, it will not happen today.

The debate and the parade are really about collusion, and about the importation of guns to loyalist paramilitaries by the British state. Those guns are now pointing at the unionist community. Those same guns are being used in the loyalist feud and have killed more than 25 Protestants since the DUP came to power. What is the DUP doing about that? Can we debate that?

If we ever reach the truth, as my colleague Francie Molloy said, the truth about the origin of those weapons will come out; the truth about why they are still being held will come out, and they will no longer be pointed at the unionist community. Is that not an important issue?

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

Mr O'Dowd: I support the amendment.

Mr Attwood: In taking part in the debate, I am mindful of Naomi Long's health warning: what progress will come from it? I will try to answer that question.

Although I do not support the motion, I do not agree with John O'Dowd's statement that it is an utter waste of time. Issues about victims and a shared society are the business of the Assembly, particularly the Office of the First Minister and the Deputy First Minister, which is in the hands of the DUP and Sinn Féin. Mr O'Dowd was wrong to make that assertion, just as the DUP was wrong to make the assertions that are contained in the motion.

This debate should be about the issue of truth. Members should be discussing — and I hope that we will have the opportunity to do so soon — what Denis Bradley, Lord Eames and others are currently doing in respect of dealing with the past. They carry a very difficult and heavy burden.

The SDLP fears that, if Members do not get their heads round the issue of the truth of the past, it will come back in our faces. There are elements in unionism who do not want the truth about the RUC to come out. There are also elements in the British Establishment who do not want the truth about MI5 and the British Army to come out, and there are definitely elements in loyalism and republicanism who do not want the truth of what they did for 35 years to come out.

If those elements in the British system, unionism, republicanism and loyalism converge at the same time, for the same end — namely, that they do not want the truth of their past to come out — Lord Eames and Denis Bradley will be ill served, and the community will be ill served by the fact that the truth will be buried. That is a realistic and possible scenario. We know that, because the IRA and the British Government conspired and colluded to bring about that outcome two and a half years ago in their proposals regarding the on-the-runs and state killings. That was an attempt to bury the truth of the past.

Jennifer McCann said that no one should be treated as a second-class citizen. It was her party and the British Government who worked together to create a system of justice that was second class in respect of dealing with the on-the-runs and state killings. Therefore, if Jennifer McCann wants to talk about no one being treated as a second-class citizen, her party should not produce, for people in the North, a second-class system of justice regarding the on-the-runs and state killings.

In one way I welcome the debate, because it appears that elements in the DUP recognise that good authority in the North needs to be upheld. That is implicit in the statement calling on the PSNI and the Parades Commission to ensure that the type of parade that took place on 12 August 2007 never happens again. That statement, for what it is worth, attempts to ensure that good authority in the North is upheld. I hope that the DUP will follow through with that by recognising, and urging everybody to recognise, the authority of the current Parades Commission.

There is an ongoing review of the future of parades. That review is in real danger of trying to replace the architecture that exists around parades at the moment with another version of political fixes between the big political parties in the North. My sense is that the review will report to the Assembly, and to the Office of the First Minister and the Deputy First Minister, that if Members think that the Parades Commission is not good enough, the authority regarding parades should be addressed by the politicians working together. That is a recipe for conflict and chaos in the future.

I urge the DUP to view the Parades Commission in a new light and recognise that that body has good authority, regardless of the differences that there have

been in the past. The DUP should embrace the Parades Commission now, rather than try to create some political fix, through the Ashdown review, regarding parades in the future.

I also urge the Ulster Unionists to accept the amendment. The reason why it should be accepted is that Alban Maginness has outlined the right principles, to do the right thing, at the right time for the Assembly as regards elements of that obnoxious parade organised by republicans last August in this city.

Mr S Wilson: The Alliance Party has accused the DUP of proposing the motion only because we wanted to poke the dog with a stick. I assure the Member for East Belfast Naomi Long that it is not a case of poking the dog with a stick — the motion was designed to bash the dog on the head.

Unfortunately, and for far too long, Sinn Féin has been allowed to get away with hypocrisy, double standards and lecturing —

Mr Molloy: Will the Member give way?

Mr S Wilson: I will not give way now but I might later.

For too long, Sinn Féin has been able to lecture everyone else about standards of parading, about what others should do, and about respecting other people. However, when Sinn Féin Members are put to the test, they totally ignore the sensitivities of people whose relatives were killed by terrorists in the past 30 years. As Mr Kennedy, a Member for Newry and Armagh, pointed out in his excellent speech, Sinn Féin totally ignores the strictures of the Parades Commission, which it elevates and to which it runs on occasion in order to have restrictions placed on unionist and loyalist parades across Northern Ireland. The motion is timely, not just because Back-Benchers want to let off a bit of steam, but because this is a real issue and because Sinn Féin's hypocrisy must be addressed.

Members have heard lame excuses from Sinn Féin today. The party tells unionist Members that they should not worry about the parade; and asks why they are dancing about in agitation; and deems it only a piece of street theatre, or, as Mr Kennedy pointed out, a Sinn Féin fancy-dress party. Sinn Féin claims that it was only acting out what had happened in the past — Sinn Féin actors were dressed up as members of the RUC, the UDR, the British Army, and IRA terrorists. Next, we will hear that Sinn Féin is going to the Arts Council for a grant, or even demanding an Oscar for those who acted. Mr Kennedy said to me that he knew who was acting out the part of the IRA informer who was colluding: he was the boy who won the Brit award in the whole show. *[Laughter.]*

We are being sold the line that we should be pleased that Sinn Féin is bringing street theatre into Belfast

city centre on a sunny Sunday afternoon. However, had an Orange parade been marching down the Newtownards Road or the Albertbridge Road with even so much as a flag depicting the symbol of a paramilitary organisation, Sinn Féin agitators from Short Strand would have been down to the Parades Commission and round at Mountpottinger police station whingeing for the next year to ensure that that parade is never allowed again.

It is right that the House should debate the motion —

Mrs Long: Will the Member give way?

Mr S Wilson: I am more than happy to give way now.

Mrs Long: Will the Member clarify that he does not defend the display of loyalist paramilitary symbols in Orange Order parades? One might be confused about that, given the terms in which he has spoken.

Mr S Wilson: I never gave the impression that I would defend such a thing. However, since the Member wants clarification, I would not defend it. I made that clear.

However, it seems that the standards that apply on the other side of the Chamber do not apply to this side. It appears that we should be prepared somehow to accept Sinn Féin behaving in such a way in Belfast city centre, regardless of the offence that it causes and regardless of the message that it sends out.

I am touched at Sinn Féin's concern for the working-class people of east Belfast, north Belfast and Larne. Mind you, that does not stop some of its agitators in front-line areas of north Belfast. This morning, I drove down the Limestone Road to avoid the traffic jams and saw the large number of houses that have their windows blocked and roofs destroyed. They were good houses that might have been used to meet the housing shortage in north Belfast, but they were destroyed because republican agitators do not care too much about the living conditions of poor working-class Protestants who live in that area; rather, they torture them nightly.

We are told that Sinn Féin is concerned that we are wasting time in the debate and failing to debate issues that affect directly people in north, west or south Belfast or Larne.

5.30 pm

The fact is that this issue affects those people — and Sinn Féin's attitude to republican violence affects those people. In the Assembly, Members debate many issues over which they have no control but on which they want to give their views. Recently, Sinn Féin Members tabled a motion on tax-raising powers, which rest with Westminster. Nevertheless, the Assembly wanted to inform the Government at Westminster of its views. Equally, today's debate gives Members an opportunity to inform the police and the Parades Commission of their thoughts and what they believe needs to be done

about provocative parades. The debate is not a waste of time: it raises a legitimate issue and is acceptable to the Assembly.

The reason that Sinn Féin Members did not want the debate to take place was that the only excuse they could give was that the parade was a piece of theatre and not a coat-trailing exercise through the centre of Belfast. Sinn Féin Members cannot answer the charge that their attitude towards unionist parades is hypocritical, or that they claim to support non-violence but still hanker after those who committed violence for the past 30 years. This debate is an embarrassment to them, and all they can do is have the brass neck to stand up and make paltry excuses.

Mr O'Dowd: During my contribution, I said we would not resolve the issue in here today. There is one way to resolve the issue: those who are concerned about the parade could sit down with the organisers and thrash out the issues in order to work towards having a parade, with concerns addressed, for next year.

Mr S Wilson: I thank the Member for his intervention. However, I do not think that there is much to discuss in order to fix the situation. The issues have been examined already: bands with drum skins depicting gunmen, and gunmen marching down the street in full regalia. Those types of things could be addressed easily and without people on either side sitting down together. The point of having the Assembly debate is that republicans can hear unionist concerns first-hand.

The Parades Commission knows what it has to do, and the police know what they have to do. It is important that the issues have been raised during the debate so that we do not have a repeat of the situation.

In closing, the DUP does not believe that the SDLP amendment is necessary. Other Members and I have made it clear that what we say about the parade in question applies to other parades as well. The motion relates to a specific event that occurred over the summer period. The problem with the SDLP's approach is that while they are prepared to condemn with words what they have seen Sinn Féin do in Belfast city centre on 12 August, they are not prepared to march through the lobbies to condemn it. Therefore, their motion is an attempt to run away.

In tabling the amendment, SDLP Members are running away from their responsibility to point the finger of blame at people who involved themselves in an obscene march on 12 August.

Question put, That the amendment be made.

The Assembly divided: Ayes 31; Noes 41.

AYES

*Mr Attwood, Mrs M Bradley, Mr P J Bradley,
Mr Brady, Mr Brolly, Mr Burns, Mr Butler,
Mr W Clarke, Mr Dallat, Mr Durkan, Dr Farry,
Mr Ford, Mr Gallagher, Mrs D Kelly, Ms Lo,
Mrs Long, Mr A Maginness, Mr P Maskey,
Ms J McCann, Mr McCartney, Mr McElduff,
Mr McGlone, Mr McHugh, Mr Molloy, Mr Neeson,
Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan,
Mr P Ramsey, Ms S Ramsey, Ms Ritchie.*

Tellers for the Ayes: Mr P J Bradley and Mr O'Loan.

NOES

*Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne,
Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig,
Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott,
Sir Reg Empey, Mrs Foster, Mr Gardiner,
Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy,
Mr McCausland, Mr B McCrea, Mr I McCrea,
Dr W McCrea, Mr McFarland, Miss McIlveen,
Mr McNarry, Mr McQuillan, Lord Morrow,
Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson,
Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson,
Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.*

Tellers for the Noes: Miss McIlveen and Mr Spratt.

Question accordingly negatived.

Main Question put and agreed to.

Resolved:

That this Assembly believes that Belfast City Centre should be a shared space; deplores the Sinn Féin sponsored parade to the City Hall on Sunday, 12th August 2007, which involved depictions of I.R.A terrorists and participants carrying guns; and calls on the PSNI and the Parades Commission to ensure that this never happens again.

Adjourned at 5.47 pm.

NORTHERN IRELAND ASSEMBLY

Monday 1 October 2007

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

Members observed two minutes' silence.

MINISTERIAL STATEMENT

Bluetongue/Foot-and-Mouth Disease

Mr Speaker: I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement on the current situation regarding bluetongue and foot-and-mouth disease.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a Cheann Comhairle. I wish to make a statement on the current bluetongue situation in England and the actions that I have taken to prevent it from spreading here; also, I will give an update on the foot-and-mouth outbreak in England and my response to that.

It is of great concern that bluetongue has been confirmed in south-east England. What is particularly unfortunate for the farming industry is that this has happened while the foot-and-mouth outbreak is ongoing. My priority continues to be to do everything possible to stop bluetongue and foot-and-mouth disease from entering the North.

First, I shall give an update on the bluetongue situation. I shall start by explaining what bluetongue is, and by outlining the disease situation that has been developing in northern Europe over the past year. Bluetongue is a viral disease, spread by biting insects, that affects all ruminants, but particularly cattle and sheep. It does not affect humans, so there are no human- or public-health implications. The bluetongue virus cannot be transmitted directly between animals; it is spread by midges that bite infected animals and pass the infection to uninfected ones.

Bluetongue can have a significant economic impact through on-farm losses, due to death, sickness and reduced productivity, and lost export revenue, as live exports from affected areas are banned. There are no implications for meat or dairy products.

In Europe, bluetongue has usually been found only in the Mediterranean area, but in August 2006 a different strain of bluetongue was found in the Netherlands, Belgium, Luxembourg, western Germany and parts of northern France. Unfortunately, during the summer of 2007, the disease has re-emerged in a more virulent form in the same countries, spreading more widely than in the previous season.

This year, the disease situation in northern Europe is, therefore, much worse than in 2006, with over 5,000 confirmed cases of bluetongue reported in those countries in the past nine weeks; there have also been reports of increased mortality rates in animals and milk production losses. The existing restricted zones now extend across the whole of Belgium, the Netherlands, Luxembourg, a large proportion of Germany and a large area of north-eastern France. The German restriction zones also extend into parts of Denmark, the Czech Republic and Switzerland.

On Saturday 22 September, the Department for Environment, Food and Rural Affairs (DEFRA) detected bluetongue in an animal on a farm near Ipswich in Suffolk. The strain has been confirmed as serotype 8, which is the same strain that has been found in northern Europe since August 2006. That is a serious development. It is the first time that bluetongue has ever been recorded in Britain. It has never been recorded on the island of Ireland.

By Sunday 30 September, bluetongue had been detected on a further 14 premises in south-east England. Initially, the premises were all placed under restriction, and the infected cattle were culled because they could have been a source of infection for the local midge population, which could go on to spread infection by biting other animals.

At that stage, bluetongue was not considered to be confirmed in Britain because, unlike other diseases, bluetongue is not confirmed on the basis of positive individual animals. EU law requires that, in order to confirm an outbreak, there must be evidence that the virus is circulating between the local animal and midge populations.

On 25 September, DEFRA put in place a bluetongue temporary control area in eastern England, and surveillance was carried out to determine whether the disease was circulating. After further investigations, on Friday 28 September, DEFRA confirmed that the disease is, indeed, circulating in East Anglia. At present, DEFRA believes that bluetongue was introduced into Suffolk in early August 2007 as a result of wind-borne movement of infected midges from the bluetongue outbreak in northern Europe.

DEFRA has now established a 20 kms control zone around the area in East Anglia where cases have been identified to date. Ruminant animals are able to move

within the bluetongue control zone but not out of it, except to slaughter in the bluetongue protection zone of 150 kms that surrounds the control zone. Ruminants are able to move around within the bluetongue protection zone but not out of it. Now that bluetongue has been confirmed in England, infected animals will no longer be compulsorily slaughtered because the virus is circulating in the local midge population.

I will now say something about the actions that I am taking to prevent bluetongue from spreading here. My priority continues to be to keep bluetongue out of the North, if possible, and my Department has a range of precautionary measures in place to minimise the risk of bluetongue reaching here. In the light of the heightened risk from northern Europe since August 2006, imports of susceptible animals from bluetongue-restricted areas in EU member states have been banned. As a safeguard, animals and the vehicles in which they travel across the restricted areas are sprayed with insecticide.

The Department carries out post-import testing of imported cattle and sheep from continental Europe. Those animals are restricted and isolated, pending negative test results. All test results to date from that post-import testing have been negative. The Department has also advised potential importers to request that animals are pre-import tested as an additional precaution.

Our ports remain closed to the import of live animals from Britain because of the foot-and-mouth disease preventative measures that I reintroduced here on 12 September; that gives us dual protection from bluetongue. In response to the foot-and-mouth disease outbreaks in Britain, my officials have traced and examined all consignments of cattle, sheep, goats and pigs imported directly from Britain since the beginning of July. All examinations were negative for signs that could be attributed to either foot-and-mouth disease or bluetongue, which has given me some reassurance that bluetongue has not spread to the North.

Over the past six months, my Department has been working in partnership with key stakeholders here, through the bluetongue working group, on preparedness to deal with the threat of bluetongue; it will continue to do so. In May 2007, my Department, in conjunction with its key stakeholders, issued advice to the industry about bluetongue, including information about clinical signs. That leaflet is available on the Department of Agriculture and Rural Development (DARD) website, along with other comprehensive information on bluetongue. I did have a copy of the leaflet with me, but I have mislaid it; I apologise for that. However, it is available for any Members who may wish to use it.

That leaflet has just been handed to me, so Maurice, you can have a wee look at it if you like. You were slagging me off about it.

Lord Morrow: You said that you did not have it.

Ms Gildernew: I am holding it up now — I hope that that makes you happy.

In June, the Department followed up publication of that leaflet with further advice to local importers to highlight the potential risks of importing animals from those northern European countries in which bluetongue is present.

In light of the detection of bluetongue in England, I have asked the farming community here to remain vigilant for signs of the disease by regularly — at least daily — inspecting their animals for symptoms, and to report any suspicions immediately.

We are working closely with industry stakeholders. Last week, my officials met with key stakeholders in the bluetongue working group. That meeting provided an opportunity to share information on developments in the disease situation, to exchange views, and to review the precautionary measures that are in place here. I thank the stakeholders for their ongoing constructive engagement with us on the disease.

We are continuing to liaise closely with our counterparts in Britain and in the South to monitor the bluetongue situation. We are also working closely with the South to co-ordinate our preventative actions to protect the whole island from bluetongue.

Our current veterinary risk assessment is that the preventative measures that we already have in place continue to be appropriate to the risk of the disease's being introduced to the North through live animals. We will keep that position under active review in line with developments in the situation.

Unfortunately, it is not really possible to control the movement of infected midges, but we are working with the Met Office to seek advice on the pattern of air movements that may carry midges this way. The potential for spread will be lessened by the onset of winter, as the vector cannot survive in very cold conditions. However, we cannot be complacent, and, if necessary, I will not hesitate to take whatever action is required to keep the island of Ireland free from bluetongue.

My Department has a contingency plan to put in place if bluetongue reaches the North. That plan is subject to a continuous process of review and updating. Any action would be in line with the bluetongue control strategy, which has been developed in consultation with local industry stakeholders through the bluetongue working group. The strategy recognises that different regions have different priorities to consider, and it provides for us to respond in a way that is specific to our circumstances.

In conclusion, I will continue to ensure that all efforts are made to prevent the spread of bluetongue to the North. My Department will continue to keep the

position under active review, depending on developments in Britain, and will continue to work in partnership with key stakeholders to mitigate the threat of bluetongue incursion. I remind farmers to remain vigilant and to report any concerns immediately.

I will now update the House on any developments in the situation with foot-and-mouth disease in England since I made my previous statement three weeks ago and gave my response to that outbreak.

It is very unfortunate that, within only a couple of days of my previous statement, on 12 September, a further case of foot-and-mouth disease was confirmed in England. That was confirmed to be the same strain as the two cases that occurred in August. Since then, there have been a further five confirmed cases, which means that there have now been eight confirmed cases of foot-and-mouth disease in Surrey since 3 August.

I moved very quickly on 12 September to protect our industry from the outbreak. Even before the disease was confirmed, I put precautionary measures in place, in view of the strong suspicion of disease in England. Those mirrored the preventative measures that I took when the outbreak was confirmed in Britain in early August. I took immediate action to close our ports once again to cattle, sheep, goats and pigs from Britain. I revoked, with immediate effect, all DARD-specific import licences for such animals. I sent one consignment of cattle back to Britain that was en route to Larne.

I also reintroduced an immediate ban on the import of certain animal products from Britain, including fresh meat from susceptible animals and unpasteurised milk. I ordered that disinfectant mats should be reinstated at local ports and airports and that literature should be handed out.

By 13 September my officials had identified and traced all consignments of cattle, sheep and pigs that had been imported directly from Britain since 23 August. In total, 75 consignments were confirmed as having been imported into the North. None of those consignments came from the Surrey area.

By 14 September, inspections of all consignments had been completed, and all examinations were negative. That has given me some assurance that no disease has spread to here. A programme of follow-up visits to those animals is ongoing, and individual animals will remain restricted until the revisits have been completed.

Based on our risk assessment, I decided to apply no restrictions on the movement of animals in the North, except to those imported animals, and to apply no constraints on the operation of slaughterhouses, shows, markets and assembly centres here. Access to the countryside continues to be unrestricted.

12.15 pm

I have asked that farmers and the wider public adhere to strict biosecurity measures, and I have reminded farmers of the importance of remaining vigilant by inspecting their animals at least daily for symptoms of disease, and to report any suspicions immediately.

My officials and I are in close contact with our counterparts in Britain and in the South to monitor and assess the situation. I have spoken personally to Mary Coughlan, the Minister for Agriculture in the South, and to Jonathan Shaw, a DEFRA Minister. Our actions are absolutely consistent with those taken in the South, and in line with the fortress-Ireland approach.

My officials worked closely with DEFRA officials who attended the EU Standing Committee on Food Chain and Animal Health (SCoFCAH) meeting in Brussels on 12 September, and were able to influence the EU Commission's decision, which, I am glad to say, was unanimously agreed. I am particularly grateful to the agriculture policy officer from the Executive's Brussels office, who worked closely with my officials to keep us updated on developments. I am pleased that this latest EU Commission decision has again recognised the unique position of the North and allowed us to continue to trade freely within the EU, using the additional certification that we gained after the August outbreaks.

On 13 September, my permanent secretary wrote to all agrifood stakeholders, including farming organisations, retailers and processors, to advise them of the latest developments and enclosing our press release, along with the DARD website address and helpline number so that they can report any problems that they may be experiencing. I am pleased that trade to EU countries continues to be relatively unaffected.

On Monday 24 September, DEFRA published its latest foot-and-mouth disease investigation report, which concluded that there is a low risk of the foot-and-mouth virus having spread outside the current surveillance zone. Based on that report, Britain has been divided into two foot-and-mouth disease risk areas: a risk area in south-east England that includes the surveillance zone and takes in the surrounding counties, and a low-risk area that consists of the rest of England, Scotland and Wales.

DEFRA's stated aim is to reduce the size of the foot-and-mouth disease risk area, taking a risk-based, staged approach, and to permit further movements as soon as the situation allows. Farm-to-farm movements are allowed in the low-risk area, subject to biosecurity conditions, and, from 4 October, movements to livestock markets in the low-risk area will also be permitted, subject to stringent biosecurity measures. DEFRA has adopted an integrated, risk-based approach to deal with

the current situation with both bluetongue and foot-and-mouth disease.

Turning to the implications for us, my aim has always been to return to normal trading practices as soon as it is safe to do so. Based on our veterinary risk assessments, and to accommodate industry requests, from 14 September, animals have been able to move directly to approved slaughterhouses in Scotland. That type of movement is allowed because it is considered to present a low risk and is subject to strict biosecurity conditions. We are currently considering whether to allow the movement of breeding and production animals, and we have a strict system in place to ensure that dirty vehicles are not permitted to enter through our ports.

Given these controls and precautions, our current veterinary assessment is that the risk of foot-and-mouth disease entering the North is very low. The most recent cases in Britain have not changed that assessment. However, we will continue to keep the position under review in light of the situation in Britain and our own veterinary risk assessment. We are working closely with the Department of Agriculture, Fisheries and Food (DAFF) in the South to ensure that any further action is joined up across the island. Our thinking on the entry of animals from Britain, even from the low-risk zone, remains that it is not permitted until a SCoFCAH decision changes that position.

I believe that my actions and those of my officials have been swift, decisive and proportionate to the level of foot-and-mouth disease threat that we face from the recent further outbreaks. My Department will not be found wanting in respect of any necessary steps to maintain our foot-and-mouth-disease-free status, and to protect our local industry. Everything that can be done will be done to keep foot-and-mouth disease out of the country.

I conclude by thanking all those who continue to contribute to helping me and my Department to deal with the current foot-and-mouth disease crisis. Go raibh maith agat.

The Chairperson of the Committee for Agriculture and Rural Development (Dr W McCrea): I suppose that the Assembly should feel privileged that it has been given a personal ministerial statement, because the same courtesy has not been afforded to the Committee for Agriculture and Rural Development, which is officially sanctioned by the House.

I have listened carefully to the Minister's statement, and it makes depressing listening. Some clarification is needed, because, at times, I do not know whether she is talking about the north of England, the north of Britain or Northern Ireland. It would probably burn her lips to say "Northern Ireland".

What is clear, however, is that Europe and the Department were complacent. They were too quick to announce a return to normal service in early September. That they prematurely started to relax restrictions then means that we are now worse off than ever. New cases of foot-and-mouth disease are still being declared, more than two months after the first outbreak.

If foot-and-mouth disease emanated from a broken pipe at the Pirbright laboratory site, how is it still spreading around the countryside? It is about time that the Minister engaged regularly with those most affected by foot-and-mouth disease, and by bluetongue, instead of running around the country with her officials to provide updates here and there. Will the Minister set up an emergency committee — consisting of departmental representatives, the Committee for Agriculture and Rural Development and other interested parties — to deal with the crisis?

In respect of bluetongue, what are the Minister and her Department doing to ensure a fortress-Northern Ireland policy? The warmer climate in the southern part of the Irish Republic may be more likely to attract the infected midges. Has the Department prepared emergency measures should bluetongue affect animals in the Irish Republic?

Ms Gildernew: Go raibh maith agat, a Cheann Comhairle. I thank the Chairperson of the Committee for Agriculture and Rural Development for his questions.

I shall outline what has been done since the first case of bluetongue was detected in Britain on Saturday 22 September. However, it was only last Friday afternoon, 28 September, that the disease was confirmed to be circulating. On Tuesday 25 September, my officials were scheduled to update the Committee on foot-and-mouth disease. That briefing would have included an update on the cases of bluetongue that were being detected in Suffolk. In the event, my officials were stood down at short notice by the Committee Chairperson. [*Interruption.*]

Mr Speaker: Order.

Ms Gildernew: On Thursday 27 September, I gave a presentation to the Executive on foot-and-mouth disease and bluetongue. I also asked the First Minister and the Deputy First Minister for permission to make a statement to the Assembly today, and that request was granted.

Last Thursday evening, I offered to update the Committee on the situation on either Friday afternoon or Monday morning — before I made today's statement to the Assembly. I met the Committee this morning in Dundonald House to brief it before delivering my statement. It was necessary to meet there, because my officials were actively working on the rapidly developing situation in liaison with DEFRA and DAFF.

My officials again stand ready to brief the Committee in detail at its next official meeting tomorrow. Moreover, my Department issued press releases about bluetongue developments on 22 September, which was when the first case was detected, on 26 September and on 28 September, when the disease was confirmed in Britain.

The establishment of the emergency committee that the Chairperson advocates would be more in keeping with a situation in which bluetongue or foot-and-mouth disease was directly affecting us. Our actions to date have been based on the veterinary risk assessment and on the danger that our industry faces. We have worked extremely closely with the entire industry to ensure that there are few problems with trade, and that everyone is fully updated and apprised of the situation as it develops. This is obviously a very fluid time, so we will keep everyone updated as and when necessary. If I feel that going down the route of setting up an emergency committee has become a necessity, I will certainly explore the idea with officials.

The Chairperson remarked about our approach to keeping foot-and-mouth disease and bluetongue out of the country. If animals in the South were to become infected, the emergency measures that we would implement would very much depend on the circumstances of the case in question, including the type of disease, the exact location and the scale of the incident. We would not decide anything before closely liaising with colleagues in Dublin. Obviously, in any decision that we were to take, we would be bound by EU rules for dealing with outbreaks of diseases such as foot-and-mouth disease and bluetongue.

The control zone for bluetongue is 150 km. Therefore, if bluetongue were to appear in Ireland, the control zone would likely extend to the North anyway.

Regarding the Member's comment about the EU decision, I am sure that he will appreciate that EU veterinary officers on SCoFAH make their decisions based on risk assessment and that I, as Minister of Agriculture and Rural Development here in the North, did all that I could to persuade them to keep our trade restrictions to an absolute minimum and to keep our industry going. However, I do not have any sway with them about not allowing exports to be reopened; that would be based on veterinary risk assessment, and it would not be appropriate for me to try to influence that.

Mr Brolly: Go raibh míle maith agat, a Cheann Comhairle. Will the Minister tell the House what action is taken when a suspected case of bluetongue is reported?

Ms Gildernew: The process is quite technical, and I want to provide as much detail as possible, so I ask the Member to bear with me for a moment.

Dr W McCrea: Does the Minister need any help?

Ms Gildernew: No, I am fine, but thank you for the offer.

If a case of bluetongue were confirmed here, the measures put in place would include a veterinary investigation on suspect premises, and restrictions, including a ban on the movement of susceptible animals on and off the premises. On confirmation that bluetongue was circulating, restrictions would remain in place and be extended to a zone with a 20 km radius around the infected premises. Wider zones would then be declared with a radius of at least 150 km around the infected premises. Restrictions on the movement of susceptible animals out of those zones would be put into place and surveillance programmes implemented. Additional housing requirements and the requirements to control midges with insecticides might also be put in place within the 20 km zone. There would be some flexibility in demarcating the zones with the agreement of the European Commission, but various factors, such as local geography, must be taken into account.

I stress again that the Department is updating its control measures daily. We are looking closely at how the disease is being controlled and dealt with in northern Europe and in Britain and we are learning from that. Keeping our industry free from the disease for as long as possible — until the onset of winter, which, hopefully, will be fairly soon — would be the preferred option. However, there is a contingency plan in place were the industry here to be affected.

Mr Elliott: I thank the Minister for her statement, although with the way that midges and foot-and-mouth disease are spreading, I foresee many more statements in the months ahead.

First, I am curious to know whether the Minister and her Department have given any information to Northern Ireland farmers about the symptoms of bluetongue that they need to look out for. I understand that no recent information has been distributed.

Secondly, I am also curious about the DEFRA and DARD assessment that the latest outbreak of foot-and-mouth disease is a continuation of the original outbreak at the beginning of August and not a new one. In early September, we were led to believe that the all-clear had been given and that imports from mainland GB were to be reopened. I urged the Minister and her Department to be cautious about allowing those imports into Northern Ireland. I suggested that such action would be premature. However —

Ms Ni Chuilín: Is the Member asking a question or making a speech?

Mr Speaker: Order. On many occasions —

Ms Ni Chuilín: Sorry, Mr Speaker.

Mr Speaker: Order. I have advised Members on many occasions that, during ministerial statements, it

is vital that they ask questions and do not start making statements too. I allow some latitude in the case of Chairpersons of Committees, and there is nothing wrong with that. However, other Members must address only their questions to the Minister.

12.30 pm

Mr Elliott: Thank you for that, Mr Speaker. I suppose that consistency is the name of the game. I posed two questions — one on bluetongue, and one on foot-and-mouth disease — and was supplying background for my final question. Does the Minister believe that she and her Department were premature in allowing imports from GB into Ireland in early September?

Ms Gildernew: Go raibh maith agat, a Cheann Comhairle. That matter was raised with the Member after my last statement, and I shall give the Member the answer that I gave him then: I do not have the authority to stop imports if the EU has decided that it is safe for them to continue. I am not in a position to make that decision with regard to Europe. Furthermore, had I made the decision unilaterally to stop imports into the North, when imports were permitted into the South, and from there to Europe, the same Member and others on his Benches would have been extremely critical of me and would have suggested that I had taken that action for political reasons. We must follow the available veterinary risk assessment. SCoFCAH made the decision to lift the ban — I did not, nor did my Department.

As for guidance to the farming industry: in May, my Department and key stakeholders jointly issued advice on bluetongue, including information about its clinical signs. An information leaflet and a question-and-answer guide are available on the DARD website, and officials have written to importers to highlight the potential risks of importing animals from countries where bluetongue is present. An information leaflet has been issued to importers and to private veterinary practices. It is important that farmers and keepers of herds remain vigilant, by daily inspection of animals for symptoms of bluetongue. If a farmer has any concerns, he should immediately consult his own vet or the local divisional veterinary office.

We cannot notify every single farmer in person. That would be a huge job; however, we have done our absolute best via the media, our own website and by every possible avenue to highlight the symptoms of bluetongue and what farmers should do if they suspect a case.

Mr Burns: One line in the Minister's statement causes me concern:

"I sent one consignment of cattle back to Britain that was en route to Larne."

I would like the Minister to make a clear statement about those cattle. Was the ship that brought that

consignment turned back? Were the cattle unloaded at Larne and left on the quayside until the Department decided what to do with them? There is no facility there for isolation or quarantine; were the cattle then put back on the ship, with cars, lorries and vans, and sent back to Britain?

Ms Gildernew: Go raibh maith agat. Although I do not believe that the consignment was unloaded, I could be wrong about that; I do not have the details. However, had they been unloaded, the cattle would have stayed on the lorry, which would then have been turned back. The cattle would not have been taken off the lorry at the port. There are no animal-holding facilities for such incidents. If the lorry even left the boat, it would have been driven straight back on again. When that consignment was turned back, we had had no confirmation of the outbreak in England; it was a precautionary measure — just in case — and it followed the risk-assessment guidelines.

I am content to write to the Member with further details of the incident.

Mr Ford: Mr Speaker, I trust that you will permit me to congratulate the Minister and her officials, especially her veterinary staff, for their speedy response between 12 and 14 September in dealing with the latest threat of foot-and-mouth disease.

In her statement, the Minister suggested that one way in which she was dealing with bluetongue was through existing foot-and-mouth disease import restrictions. Will she confirm whether, once the threat of foot-and-mouth disease is over, she will continue to impose those import restrictions on all susceptible animals from GB or whether she will have powers to restrict the movement only of those animals that are within the 150 km control zone? If the latter is the case, will she take up the issue in Brussels to ensure that she can defend farming in Northern Ireland from a threat that occurs in any part of GB?

Ms Gildernew: As I have already said, the situation is very fluid: on Wednesday or Friday it could be different from today. Import bans on the movement of animals from affected areas in northern Europe have been in place since 2006. Therefore, a ban on the importation of animals from bluetongue-infected areas has existed. If the risk assessment finds that it is necessary to ban the importation of animals from bluetongue-infected areas, outside of the foot-and-mouth disease outbreak — I assume that that is what the Member is referring to — EU requirements state that we can ban imports from the zone's affected areas. Imports are, however, permitted from the rest of the territory. That would be in line with European requests. However, the Executive would need to discuss any suggestion that I should go further and seek clarification from the EU about the position on banning the importation of animals

from the rest of Britain. As I have said, I will do all that I can if further action is required. I do not have the legislative backup, but we are working closely with people in Dublin, Britain and Europe to protect our industry from this awful disease for as long as we can.

Mr T Clarke: Given that Northern Ireland remains free from bluetongue and foot-and-mouth disease, can we still enjoy some competitive advantage over our colleagues in the rest of the United Kingdom? Livestock that is going to markets in continental Europe often has to travel through GB. Has the Minister's Department carried out any work to improve routes to European markets? Has it worked to ensure that any travel through GB will not affect those animals' disease-free status?

Until recently, it was thought that the climate meant that Northern Ireland, the UK as a whole, and even northern areas of continental Europe were all safe from bluetongue. Given that, what assessment has DARD made of any risk from other livestock diseases that were previously not deemed a threat?

While I am on my feet, on a point of accuracy, the Minister stated earlier that last week the Chairman of the Agriculture Committee stood her down. However, the entire Committee, including her own two party colleagues who were present, did not abstain from agreeing to write to her.

Ms Gildernew: As I said in my statement, animals and lorries travelling through bluetongue areas are sprayed with insecticide to reduce the risk of the spread of the disease. I repeat that the Department has been doing all that it can to keep the disease out of Ireland. It has also been considering routes.

The Member asked three or four questions, one of which was whether we have an advantage. We have a small one, in that we are free from bluetongue and foot-and-mouth disease. We should capitalise on that position for the months that that is the case.

I cannot remember the Member's other questions; he asked several.

Mr T Clarke: I asked whether the Department had carried out a risk assessment of other livestock diseases that were previously not deemed a threat.

Ms Gildernew: Gabh mo leithscéal, a Cheann Comhairle. Climate change affects many of us, and I know that, in recent months, the Minister of the Environment has been considering that issue carefully. Some insects and diseases that the winter would previously have killed off can now live through our winters.

We must consider the situation from a global perspective and identify those diseases that are now prevalent in areas not previously affected. Our geographical location on the western corner of Europe means that we have a wee bit of time to examine how those diseases are spreading. In general, they are

moving in an east-west direction, so we must make the most of our geographical location and take advantage of clinical assessments, scientific analysis and everything else in our power to prevent our agriculture industry from falling victim to any of those diseases.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. I thank the Minister on her statement, and I congratulate her and her Department for their work to keep the North free of foot-and-mouth disease and bluetongue. It is important to realise that this situation is not about party-political bickering or the Committee for Agriculture and Rural Development; it is about trying to keep the North free of disease and continuing to prevent it as much as possible. If we get into a stand-off situation with the Committee, in which everything has to go to a vote, very little business will be done.

We must take a different road. The Committee has an important role — *[Interruption.]*

Mr Speaker: Order. The Member must ask a question.

Mr Molloy: I certainly will. Is Mr McCrea more interested in Committee business than he is in bluetongue or foot-and-mouth disease?

Dr W McCrea: On a point of order. When did this turn into Question Time for Mr McCrea? If people want to abdicate, or hand the Department of Agriculture and Rural Development over to me, I will take on the job of Minister.

Mr Speaker: Order. I will say to Members once again that we can have lively debates in the Chamber, and there is nothing wrong with that. However, I must inform Members that when they are given the opportunity to pose a question to a Minister, they must do just that. That goes for all sides of the House, because all sides of the House are to blame in this regard. I have been fairly lenient during questions to Ministers, and I intend to be lenient. However, it is vital that Members do not use the time for questions to Ministers as opportunities to make full-blooded statements.

Mr Molloy: I apologise, Mr Speaker. Will the Minister describe the clinical signs of bluetongue in animals so that farmers have that information for the future?

Ms Gildernew: Go raibh maith agat, a Cheann Comhairle. I suppose the question is not whether Dr McCrea is going to be the Minister, but whether he could do a better job. That is certainly a matter for debate. *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

Ms Gildernew: The clinical signs in animals include: fever; swelling of the head and neck; lameness; inflammation and ulceration of the mucous membrane of the mouth, nose and eyes; drooling; haemorrhages in

the skin and other tissues; respiratory problems such as froth in the lungs and an inability to swallow; high mortality rate; and discolouration and swelling of the tongue.

Interestingly for a disease known as bluetongue, a blue tongue is a rare indication of the condition. Farmers will know when an animal is off-colour or not in good form, and although bluetongue can kill cattle, it is usually much more virulent in sheep. It is a worry for the farming population, and, once again, I stress the need for vigilance. If any animals display any of the symptoms I have mentioned, I urge their owners to contact their local divisional veterinary office or veterinarian for assessment, because the earlier that we can establish the existence of bluetongue or foot-and-mouth disease, the earlier we can deal with it.

Mr Irwin: I note that in the Minister's statement of 10 September 2007 on the outbreak of foot-and-mouth disease, she maintained her commitment to a so-called fortress-Ireland approach. Does she not agree that such an approach would be no barrier to bluetongue, given its ability to spread over distances greater than the Irish Sea, such as when it moved from Morocco into Spain and Italy? Will the Minister commit to close liaison with DEFRA colleagues and the other devolved regions, as well as the Republic of Ireland, so that the spread of the disease across the British Isles may, if possible, be prevented?

In support of my colleague Dr McCrea, who asked a similar question, will the Minister also outline the steps that she intends to take under her fortress-Ireland commitment if bluetongue moves across the Irish Sea into the Republic of Ireland? She did not answer that question.

How does the Minister come to the conclusion that, if bluetongue crosses the Irish Sea into the Irish Republic, it will automatically come to Northern Ireland? I do not believe that.

12.45 pm

Ms Gildernew: Go raibh míle maith agat. I hope that I am able to get through all the Member's questions. As the Member has pointed out, bluetongue can often be wind-borne. In the recent case of bluetongue in England, it was believed that the disease was carried by the prevailing wind from Belgium to the south-east of England. Although that makes it extremely difficult to keep it out of the country, most of our winds come off the Atlantic Ocean, from west to east. The Department is working closely with the Met Office to discover whether winds are likely to come from the east.

It is also extremely difficult to prevent midges from leaving an area. Therefore, counties close to Suffolk, where the initial outbreak happened, are worried about where the midges are travelling, their native midge

population, and how virulent the disease is when infected midges bite other animals.

Although there are difficulties in keeping the disease out, there are measures that can be taken and we must work on an all-island basis to keep the disease out. For example, lorries that come over from England are sprayed with insecticide. I assure the Member — as I have repeatedly said in my statements — that I work not just with my colleagues in the South, but with Ministers and officials in DEFRA and in other devolved Administrations to try to ensure the protection of our industry. The Member will know that if the disease comes to the east coast of Ireland and is found in cattle in, for example, County Louth, it will have to be contained from reaching south Armagh. Midges do not recognise borders; they will go wherever they want. As my colleague Martin McGuinness will agree, anyone who lives near the lough shore will know about the prevalence of midges.

Bluetongue is an awful disease, and it is difficult to stop. We should use our geographical location to protect our industry for as long as we can.

Mr Kennedy: I thank the Minister for her statement. However, it appears that the Minister continues to be afflicted by her own, unique version of bluetongue, given her ongoing inability to get her tongue around the words "Northern Ireland".

In the event of bluetongue extending to other parts of the United Kingdom, including Northern Ireland, will the Minister undertake to keep under review the issue of compensation to owners of affected livestock? Can the Minister indicate whether any research is available to assist with controlling or killing midges that are capable of spreading such a serious disease?

Ms Gildernew: Go raibh míle maith agat, a Cheann Comhairle. I wonder whether the Member is suggesting that I have a case of "greentongue".

No compensation package for bluetongue is available for farmers in EU member states. Scientists are working on a vaccine, which may be introduced, subject to a veterinary risk assessment on whether it is safe to use. By and large, infected animals do not need to be culled. Bluetongue is a viral infection; the animals become sick, but can get better. It is not like foot-and-mouth disease, whereby once an animal is infected, it will rapidly deteriorate and die. Bluetongue is an illness from which an animal can recover and is able to go on to the food chain with no health implications for humans. Therefore, there is no need to cull animals that have bluetongue. Some of them will die, and there is no compensation package for farmers who suffer that loss. Although that is regrettable, I am unable to do anything about it.

Many animals recover from bluetongue, so it does not have the same financial implications for farmers as

foot-and-mouth disease. Being so far west, we have an opportunity to see what other countries do. I am not aware of any system having been introduced in northern Europe to eradicate the midge.

It is also worth pointing out that not every midge is infected with bluetongue. The midge itself is an important part of the food chain. Even if it were possible, I do not know whether its eradication would be wise, given that it might impact on animal biodiversity. The Department will take whatever measures it can, such as spraying lorries with insecticides.

Mr McKay: The Minister has touched on the role that climate change played in the outbreak of bluetongue in Britain. What difficulties will climate change create in future in the attempt to combat bluetongue?

Ms Gildernew: The Department is carrying out an ongoing assessment of climate change. Other animal diseases and insects can now live through the winter. The Department is keeping the situation under review and working closely with those carrying out veterinary assessments in other European countries. We are trying to ensure that we are one step ahead to prevent the arrival of any new diseases that are not normally found here. The Department is keeping a close eye on the climate and liaising with vets throughout Europe to ensure that any necessary precautions to try to keep out diseases such as bluetongue are taken.

Lord Morrow: There is some disappointment on this side of the House that the Minister only released her statement, and made it available to Members, at 10.45 am, because it was known last week that the statement was going to be made. Perhaps she will bear that in mind when making future statements. I also encourage her to meet the Committee, set aside any political differences and not allow politics to affect her handling of this awful crisis.

The Minister said that:

“Our ports remain closed to the import of live animals from Britain because of the foot-and-mouth disease preventative measures that I reintroduced here on 12 September; that gives us dual protection from bluetongue.”

How long after the disease has been eradicated does the Minister envisage that the decontamination period will have to last? Having listened to the Minister, I understand that the warm climate has caused the movement of the midges that carry the virus here, there and yonder. If the disease were to be eradicated due to a cold snap of weather, how much longer would the ports remain closed — could they reopen this year?

Ms Gildernew: Go raibh míle maith agat, a Cheann Comhairle. The Member's question has several elements, and I will try to deal with them as best I can. This outbreak was officially confirmed on Friday, and I could not have made my statement any earlier. I gave the Executive a briefing on Thursday, but, at that stage,

there were only isolated incidences of the disease, and it had not been classed as an official outbreak.

I am glad to say that, by and large, I have an excellent working relationship with the Committee. I have asked a number of times — *[Interruption.]*

Mr Speaker: Order, Members. The Minister has the Floor.

Ms Gildernew: I have been before the Committee three times, and each time I have stressed the need for partnership. We should work together for the benefit of the farming industry and the rural community. If the Chairperson of the Committee wants to go down the road of involving politics, he may do so. I will work with the Committee, which is why I met its members in Dundonald House this morning to discuss the issue.

As for the decontamination period and the reopening of the ports, I will have to act in line with EU requirements and guidelines and the decisions of SCoFAH. The Department is bound by European rules, and I will abide by them.

Therefore, I do not have the authority to keep our ports closed when other ports are open. However, I will liaise carefully with colleagues on this island, and, indeed, across these islands, to do my best for the farming industry. I hope that I can still rely on the support of the Committee for Agriculture and Rural Development.

Mr McHugh: Go raibh maith agat, a Cheann Comhairle. I congratulate the Minister on her handling of the latest incidence of bluetongue. There does not seem to be much panic here or on any of these islands. If the Chairperson had allowed officials to attend, my questions could have been answered at last week's Committee meeting. Perhaps this week's questions would not have been so difficult.

Mr T Clarke: Will the Member give way?

Mr McHugh: No, I will ask my question. It concerns DARD's imports of susceptible species following the first outbreak.

Mr T Clarke: On a point of order, Mr Speaker. Again, there are inaccuracies in a Member's statement.

Mr Speaker: Order. That is not an appropriate point of order. I ask the Member to take his seat. There are no appropriate points of order during ministerial statements.

Mr McHugh: My question relates to the import of susceptible species from continental Europe following the first outbreak of foot-and-mouth disease and bluetongue.

Ms Gildernew: Go raibh maith agat, a Cheann Comhairle. Following confirmation of the first outbreak of bluetongue disease, imports of susceptible species from restricted areas have been banned, and

animals that have been imported from areas that are free from disease must be treated with insecticide prior to commencing their journeys if they are transiting a restricted area. We have also advised potential importers to request that animals are pre-import tested, and we carry out post-import testing on animals that have been imported from continental Europe.

Mr McCallister: I welcome the Minister's statement. I hope that her "greentongue" ailment never becomes a notifiable disease, or she will be in real trouble.

I congratulate the Minister. It is vital that she continues to work with industry stakeholders. How exactly did bluetongue get into GB? Was it spread by midges, or were there lapses in the bluetongue testing regime? Does the Minister agree that in order to best protect Northern Ireland, rather than simply hoping for a cold snap, it is vital to find out as accurately as possible how the disease got into the United Kingdom?

Ms Gildernew: Go raibh maith agat. The infected midges that first spread bluetongue to the farm in Suffolk were blown across in a prevailing wind from Belgium. We are not certain of that, but it is believed to be the most obvious source of the disease. The animal that was first found to be infected with bluetongue was born and raised on a rare-breeds farm. It had not come into contact with other imported animals. Therefore, the ports did not cause a biosecurity problem; rather, the close geographical location of the coasts of Suffolk and Belgium caused the midges to be blown across, thus infecting the first animals. The first four or five animals were culled to try to prevent the spread of the disease and to take them out of the equation so that the local midge population would not become infected. However, that was impossible.

On Friday 28 September, it was confirmed that the disease was circulating between the native midge population and the animals in question. Therefore, the ideal scenario is to cull in time in order to prevent native midges from being infected.

That is why the Department is calling for farmers to be vigilant and immediately report any signs of the disease to the DVO or their own vet, so that we can try to stamp it out before it gets into our native midge population.

1.00 pm

Mr Shannon: The agriculture industry seems to lurch from crisis to crisis: from BSE to foot-and-mouth disease, and now bluetongue. Given the importance of agriculture to Northern Ireland — particularly beef and pork produce — what does the Minister intend to do to prevent such diseases spreading to the Province in the same way that they have to the UK and Europe? I suggest a root-and-branch approach. Does the Minister agree — and it is important that she does — that restoring confidence in the agriculture industry is of

paramount importance to producers and consumers? Finally, the Minister said that the midge was an important part of the food chain — perhaps I caught her wrongly there.

Ms Gildernew: I stand corrected if that is the case. There is a very important demarcation on this issue. The farming industry in England is going through a horrendous time; it is suffering an outbreak of foot-and-mouth disease, and is now suffering an outbreak of bluetongue. Confidence is at an all-time low after taking some very hard knocks. Equally, our farmers have come through a hard time, but a clear distinction needs to be made; we are currently free from foot-and-mouth disease and bluetongue. We have given ourselves the best chance of ensuring, for as long as possible, that those diseases do not get a handle on our agriculture industry, and our farmers should know that. As the Minister of Agriculture and Rural Development, it is hugely important to me that the farming community knows that the Department has done all it can to prevent the diseases from spreading here.

Had a direct rule Minister been in charge in August, the issue would not have been tackled as effectively. Again, I mention the support that I had from the First Minister and the deputy First Minister. As a farmer's daughter, I am grateful that we have a local Minister in charge. As someone who lives and works in a rural community in Tyrone, I am grateful that we have an Executive that are able to deal with such matters. Confidence in and support for our agriculture industry is at an all-time high compared to that in England. Our stock is free from those diseases; our produce is of high quality and should get a price to reflect that. Members should ensure that that message is projected.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Will the Minister elaborate on the close working relationship between her Department and the Department of Agriculture, Fisheries and Food (DAFF) in the South — an example of North/South co-operation — which aims to take preventative action to protect the whole island?

Ms Gildernew: Go raibh maith agat. As mentioned, I spoke to the Minister Mary Coughlan and to Jonathan Shaw, a Minister in the Department for Environment, Food and Rural Affairs (DEFRA), in an attempt to do what I could about foot-and-mouth disease and bluetongue. As foot-and-mouth disease was in England, we were able to take a fortress-Ireland approach to keep it out of Ireland; that was hugely important for our industry and imports, because we are still able to export our cattle — *[Interruption.]*

Mr Speaker: Order, Members.

Ms Gildernew: We are still able to export our cattle, meat and dairy produce, which is hugely important. The Department had to take a slightly

different approach to bluetongue. Although the fortress-Ireland approach continued, we knew that disinfectant mats at ports and airports would not stop the spread of midges. I liaised closely with my counterpart in Dublin to ensure that the disease was kept out of Ireland — and that returns to the industry were maximised — for as long as possible.

Mr Savage: I thank the Minister for her statement. I declare an interest in the issue as a farmer.

The agriculture industry across the United Kingdom is asking what will happen next. Great Britain continues to have problems with foot-and-mouth disease, and now some animals there have contracted bluetongue. Is there a suitable vaccination to protect against bluetongue disease? If there is, will the Department consider providing it to farmers throughout Great Britain and Northern Ireland — especially in view of climate change? If there is a vaccine, how quickly can it be made available to farmers to use as a precaution for their animals?

Ms Gildernew: Go raibh maith agat. The Blue Tongue Order 2003 prohibits the vaccination of animals in the North unless authorised by the Department. A vaccine is not available for the serotype 8 strain of bluetongue. Development of a vaccine is under way, but it must be demonstrated that the vaccine is safe and effective before it is considered for use. Therefore, a vaccination is not currently available, and we will have to be satisfied that any future vaccination will work if we decide to take that route.

As I said earlier, there are 24 different strains of bluetongue around the world. Although a vaccine is being worked on for serotype 8 — the strain that is currently circulating in south-east England — serotypes 10 or 12, for instance, might affect the industry in the next year or two. Scientific evidence, therefore, has to try to stay ahead of the game. It is difficult to do that, but we are working closely with veterinary colleagues across the globe to see what diseases may be on the horizon, and we are using this time to try to find effective ways to deal with them. Mr Savage is right: it is a worrying time. However, I stress that bluetongue does not kill every animal that it strikes. Many afflicted animals will recover, and farmers will be able to sell them for food. It is important to remember that although bluetongue is a disease — whose vector is hard to control — it is a viral disease from which many animals will recover.

COMMITTEE BUSINESS

Committee Membership

Mr Speaker: The next item on the Order Paper is a motion to change the membership of the Public Accounts Committee. As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Mickey Brady replace Mr Willie Clarke as a member of the Public Accounts Committee. — [*Ms Ni Chuilín.*]

Health (Miscellaneous Provisions) Bill: Extension of Committee Stage

The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson):
I beg to move

That, in accordance with Standing Order 31(4), the period referred to in Standing Order 31(2) be extended to 7 November 2007, in relation to the Committee Stage of the Health (Miscellaneous Provisions) Bill (NIA Bill 2/07).

The Health (Miscellaneous Provisions) Bill was given its Second Stage on 19 June 2007, and it was referred to the Committee for Health, Social Services and Public Safety on 20 June 2007. It was the first piece of primary legislation to come before the Committee. Although the Health (Miscellaneous Provisions) Bill is not a major piece of legislation, it contains 20 clauses and two schedules, and it involves a degree of complexity, because it deals with amendments to other primary legislation.

The Bill has three main aims. First, it amends the provisions of the Health and Personal Social Services (Northern Ireland) Order 1972 in relation to the regulation of the four family practitioner services: general practitioners; opticians; pharmacists; and dentists. Secondly, it sets out a legislative base for a new contract for dental practitioner services.

Thirdly, the Bill amends the Smoking (Northern Ireland) Order 2006, and makes provision to permit smoking by performers taking part in performances if artistic integrity so requires.

Prior to the summer recess, the Committee heard evidence from the Department of Health, Social Services and Public Safety and several key organisations affected by the provisions. Twenty-four organisations responded to the Committee's request for written evidence over the recess period. The Committee began its clause-by-clause scrutiny of the Bill on 6 September 2007, immediately following recess. I therefore seek an extension of the deadline to 7 November 2007 to allow the Committee sufficient time to consider the views expressed and compile its report on the Bill.

I ask Members for their support.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 31(4), the period referred to in the Standing Order 31(2) be extended to 7 November 2007, in relation to the Committee Stage of the Health (Miscellaneous Provisions) Bill (NIA Bill 2/07).

Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2007: Prayer of Annulment

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

The Chairperson of the Committee for the Environment (Mr McGlone): I beg to move

That the Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) (S.R. 2007/372) be annulled.

The purpose of the statutory rule is to amend the Local Government Pension Scheme Regulations (Northern Ireland) 2002 to remove the statutory right of both employer and employee representative bodies to nominate candidates for appointment to the Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC). The Committee considered the secondary legislation or SL1 proposal from the Department at its meeting on 21 June 2007, and the statutory rule was laid in the Assembly Business Office on 3 September 2007.

Members received correspondence from the Irish Congress of Trade Unions (ICTU) on 3 September asking that the statutory rule be annulled when it came before the Environment Committee. ICTU represents and campaigns on behalf of 770,000 working people and is against the regulations as they will remove the statutory right of employer and employee bodies to nominate members to NILGOSC.

At its meeting on 20 September 2007, the Environment Committee deliberated a motion to recommend the annulment of the statutory rule. The outcome was that six members voted to annul, one member voted against and one member abstained. The majority of the Committee, therefore, wishes to see the statutory rule annulled.

There are currently five trade union representatives on NILGOSC. The proposed changes would remove the right of employee representatives to have seats on the committee. If the statutory rule is passed, trade union representatives will not be treated any differently to other people who apply for positions on the committee and who have no interest in the pension scheme or its members. Naturally, ICTU is fundamentally opposed to the appointments being opened to candidates who have no connection with the pension scheme, and it is difficult not to agree with that view. I agree with the old adage, "If it ain't broke, don't fix it", and with ICTU's views on this important issue.

At its meeting on 13 September, the Environment Committee took the views of the Irish Congress:

"NILGOSC, while a public body, is responsible for administering a pension fund of around £3 billion pounds, which belongs properly to the members of that pension scheme itself. The fund is made up of contributions from both employers and employees. The Committee should be constituted on a statutory basis primarily from representatives of the employers and employees. The proposed changes, which

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will require applicants to have, among other things, experience in the administration of pension schemes, will disenfranchise the vast bulk of the employees who belong to the scheme. In any event NILGOSC provides detailed training for new Committee members. Trade Union representatives have participated in the Committee, as of right, since the 1950s and this arrangement has worked well. In Britain, moves are on the way to provide for nominees of employees to sit on the Committees of pension schemes covering local Councils in England and Wales.”

After hearing from ICTU the Committee decided to invite departmental officials to its meeting on 20 September to brief members on the statutory rule. The departmental position can be summarised as follows: the aim of the change to the constitution of the committee is not to exclude employee and employer representatives but rather to widen the pool of candidates.

The Minister has confirmed that it is her intention to ensure a balance of interests, including employees and employers, when making appointments to the committee.

1.15 pm

The answers that we received at the meeting on 20 September were not very reassuring. The Committee was shocked to hear that the recruitment of outside candidates for positions on the management committee had already gone a considerable way down the line, despite the fact that the rule had only been laid on 3 September. There were seven responses to the departmental consultation on the proposed rule, and all but one of the seven respondents objected to it, that one being a small public body.

The respondents were concerned mainly about the potential loss of representation for the two groups that contribute to the fund — employers and employees. The Department argues that the rule is intended to widen the pool of candidates. However, the people already doing the job are more than capable, and the past performance of the scheme is evidence of that. The Committee asked if there was a precedent for removing the employer and employee representation for similar public-service schemes and why a different approach is being taken in Northern Ireland than in England and Wales, where proposals have been put forward to add employee representation.

The response was not encouraging. No such precedent has been set. The Department said that when best-practice principles were available it would consider whether it would be appropriate and necessary to include a similar provision in the regulations, and that if so, it would consult on the proposed amendment. There were many inconsistencies in the Department's arguments and its reasons for fixing something that is not broken, which have not been made entirely clear, and the Committee was unconvinced by the arguments put forward for change.

NILGOSC is responsible for administering a £3 billion pension fund on behalf of its members, which is crucial to enable its workers to lead a good-quality life in retirement. The scheme has worked well until now, and any move to change it can be seen, at best, as an unnecessary step. Among the proposed changes is a requirement for applicants to have experience in the administration of pension schemes. As has already been outlined, NILGOSC already provides comprehensive training to its staff to enable them to become experts in the administration of a pension scheme that is functioning perfectly well at present.

The Committee has no difficulty with an open competition to ensure that the best candidates who have a stake in the pension fund are nominated. Members of the Committee are, however, fundamentally opposed to appointments being open to candidates who have no connection with a pension scheme and no direct interest in it. Therefore, I ask the House to support the motion to annul the Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2007. Go raibh maith agat, a leasCheann Comhairle.

The Deputy Chairperson of the Committee for the Environment (Mr Boylan): I support the Chairman of the Committee for the Environment in moving the motion. Go raibh maith agat.

The Minister of the Environment (Mrs Foster): I welcome the opportunity to make a statement on this matter. I have noted the views of the Environment Committee, both today and when it took evidence from my officials.

The Northern Ireland Local Government Officers' Superannuation Committee was established in April 1950 to administer and maintain a fund providing pension benefits to employees of district councils and other admitted bodies. NILGOSC is a non-departmental public body (NDPB) and, as such, is subject to a set of procedures for the operation of NDPBs. These regulations extend to the potential pool of candidates for membership of the committee. NDPBs can benefit from having a board or committee with a mix of experience and expertise relevant to their work. I accept that NILGOSC is rather different to most NDPBs because its primary purpose, as the Chairman of the Committee for the Environment said, is to administer and manage a pension fund to which employers and employees contribute.

It was not my or my Department's intention in making these regulations to undermine the employers or the employees who contribute to the local government pension scheme. Much has been made of the appointments procedure. If it had proceeded, I would have been appointing four employer and six employee representatives. However, I have listened to the concerns raised and the suggestion that the regulations disregarded

employee and employer interest and, therefore, I do not intend to oppose the motion.

I presume that the motion will be carried, but, even if it is not, I have already decided to conduct a policy review of NILGOSC's constitution. The Chairperson of the Committee for the Environment is aware of my intention. I intend to invite representatives of employers, as well as employees who contribute to the pension fund, to participate in that review. In due course, I will advise the Committee for the Environment on the details of the policy review.

If the motion is agreed, in order to ensure that NILGOSC continues its important work, I intend to extend the terms of office that were due to come to an end on 30 September 2007 — yesterday — of the three committee members and the chairman of NILGOSC. I also intend to reappoint the remaining seven committee members. I am pleased to say that those three members and the chairman have agreed to remain in office for a further 18 months. I express my gratitude at their willingness to continue in office during what, because of the re-evaluation of the fund and preparations for the introduction of the new local government pension scheme, will be a busy time. For the record, the Commissioner for Public Appointments has been consulted and has agreed to the proposals that affect the NILGOSC committee. I will not be opposing the motion.

Mr McGlone: I shall be brief. I thank the Minister for listening to the views that were expressed in Committee. Members of the Committee for the Environment listened intently to all concerns that were raised, and considered them in detail. I thank the Minister for her positive response. Further details of the review will come before the Committee, and we look forward to getting our teeth into that.

Question put and agreed to.

Resolved:

That the Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) (S.R. 2007/372) be annulled.

PRIVATE MEMBERS' BUSINESS

Mandatory Registration of Landlords

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

One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes for a winding-up speech.

Mr F McCann: I beg to move

That this Assembly calls upon the Minister for Social Development to legislate for the mandatory registration of all landlords in the private sector.

A leasCheann Comhairle, tá súil agam go bhfaighidh an rún seo tacatocht ó gach páirtí. I hope that all parties will support the motion and the amendment. The content of the debate has been dealt with, and generally agreed on, in wider debates on housing in the Chamber.

Although Sinn Féin accepts the proposed amendment, I wish to put down a marker for the Minister for Social Development that any dilution of the issue will be strongly contested. I ask the Minister to reiterate her commitment to deal with the issue sooner rather than later.

Other Members and I have spoken at various events on the subject, so I know that there is consensus that action must be taken to bring this deplorable situation to a head. I am confident that Members will support moves by the Minister to introduce legislation to make landlord registration mandatory. That would send out a clear message that the Assembly will no longer allow vulnerable tenants to fall prey to unscrupulous landlords.

That should not be interpreted as an attack on all landlords. Many landlords provide excellent accommodation for their tenants. In any society, the private-rental sector fulfils a valuable role in providing a good mix of housing.

Tá dualcais ag again tiarna talon sa tír seo. At a recent meeting with a representative from the Landlords' Association, Sinn Féin stated that the present situation, in which a non-regulated private-housing sector takes advantage of many of its tenants in parts of the North, must not be allowed to continue. Most of those who are taken advantage of are those in need.

How many Members have been appalled at the threats of eviction and intimidation that have been received by tenants who dare to complain about repairs? One well-known estate agency decided that it was not collecting enough rent, so it switched from monthly to

four-weekly payments, which guaranteed an extra month's worth of rent each year.

How many Members have received complaints about landlords who place antisocial tenants in properties, causing major problems for residents, but who, when challenged, say that they are only landlords, not social workers?

How many Members have spoken to people who have had to hand over deposits of up to £1,000, only to lose that money when they move due to false claims of damage made by landlords? How many Members have dealt with tenants on housing benefit who are charged in excess of £200 more than their benefits, and who are threatened with eviction if they complain?

Individuals are crammed into houses that are in terrible condition, and are charged up to £75 a week for a bed, and they will not complain in case they are told to leave. They say that it is better than sleeping on the streets. They believe that if they complain, they will get no help from the housing authorities and will be evicted. Sadly, the authorities, including the Department for Social Development (DSD) and the Housing Executive (NIHE), know what is happening but have done nothing to stop it.

Between January and August 2003, the Housing Executive inspected the addresses of multi-occupancy properties in which migrant workers were living. Of the 86 properties that were inspected, 73 were given notices requiring the landlord to upgrade the dwellings to the correct standards under article 80 of the 1992 Housing Order. The Housing Executive's report also said that the majority of unregistered HMOs (houses in multiple occupation) were failing to meet the regulatory standards.

The Housing Executive does not know how many houses are being used as private-rented accommodation. It can tell us how many people are in receipt of housing benefit, but that is the limit of its knowledge. That is a deplorable situation, which cannot be allowed to continue. Tá sé in am stop a chur leis an chás seo.

Statutory and voluntary registration systems have failed. The Assembly must show leadership on this matter. The Assembly has a duty to ensure that those in our society who are most in need are given the protection that they require so that they can live in accommodation that is suited to their needs, which is correctly priced, and where intimidation is a thing of the past.

There has been massive growth in the private-rented sector in recent years, which has coincided with a serious crisis in the provision of social housing. People are forced into private rentals because there is nowhere else to turn. In 2006-07, homeless figures rose again to 21,013 — a 4.4% increase on the figure for 2005-06. However, of those cases, only 9,744 were accepted as being homeless. What happened to the other 11,000

applicants who were refused? They turned to the unregistered private sector.

People cannot understand the Assembly's hesitance to introduce mandatory registration. Some people in housing circles have pointed out that the Administrations in the Twenty-six Counties and in Scotland realised that there was a problem and moved to legislate for it.

In Scotland, each local authority prepares and maintains a register of landlords. Anyone who applies for registration must pass a "fit and proper person" test before he or she can become a landlord. The person must meet all legislative requirements and observe agreed standards of practice. The landlord pays a registration fee of £50, which covers a three-year period. There are other elements to the legislation and criteria in the Scottish model. However, the bottom line is that the Scots saw a problem, moved to put it right, and gave their people the protection that our constituents are crying out for.

In the Twenty-six Counties, the Residential Tenancies Act 2004 requires landlords to register all tenancies with the Private Residential Tenancies Board (PRTB), which administers a central register. The landlord pays a fee of €70 a unit or €300 for multiple units. There are strong enforcement laws, and the PRTB vigorously pursues failure to comply with registration. Failure to register is an offence punishable by a €3,000 fine, or six months in prison, or both.

Disputes between landlords and tenants are referred to the PRTB instead of the courts. The board deals with matters such as deposit refunds, breaches of tenancy obligations, lease terms, termination of tenancies, market rent, rent arrears and neighbours' complaints about tenants' behaviour.

1.30 pm

The board also has the power to apply for injunctive-type relief in serious cases, such as illegal evictions or threat to life. It can also award damages of up to €20,000, and arrears of rent of up to €20,000 or twice the annual rent — whichever is the greatest amount.

Furthermore, the board can initiate a resolution process to adjudicate any difficulties that may arise, has the power to mediate in private session and can set up a public session with a three-person tenancy tribunal. That tribunal can oversee issues such as landlords not giving adequate notice periods when bringing tenancy to an end; harassment and illegal eviction of tenants; tenants being charged non-refundable deposits and four weeks' rent in advance, which is also non-refundable, even when housing benefit is paid; tenants being held responsible for making up the shortfall, even when housing benefit covers the full contractual rent; landlords withholding deposits and refusing to refund those at the end of the tenancies; and excessive service charges.

Sinn Féin believes that the rent-officer system should be scrapped, and that it should be subsumed into a new board with powers to deal with the private-rented sector. A board similar to the model in the South — with the right powers — could help to deal with the serious problems in the private-rented sector.

The Minister for Social Development should have no difficulty with Sinn Féin's proposals. From her experience in dealing with those issues, she is aware that a serious problem exists. She has witnessed at first hand the abuse of tenants by some landlords. She also knows that the registration scheme that is currently in place has failed those who it is supposed to protect. It is time to move forward and to put in place a mandatory registration scheme.

The Minister should consult widely on this issue, including the voluntary housing sector, to develop the consultation process in order to ensure that we get it right.

Mr Deputy Speaker: Order. Fra, please do not hold your papers over the microphone.

Mr F McCann: No landlord should fear mandatory registration — it will assist landlords who provide excellent accommodation and weed out those who abuse the system.

To lead the way on this issue, I urge all Members who act as landlords to take the first step and declare their interest to the House. Both the Minister and Members know that it is the right step to take. Let us send a clear and unanimous message that we support those tenants who have no voice and that we are prepared to legislate to give them that voice. I ask the House to support the motion as amended.

Mr Burns: I beg to move the following amendment: Insert after "legislate"

" , subject to the findings of the Housing Affordability Review Implementation Group, ".

I am delighted to have the opportunity to talk on this issue. I strongly support the call for the mandatory registration of private-sector landlords. Landlords and letting agents have responsibilities, not just to their tenants, but to the wider community. There are too many instances in which those responsibilities are ignored to the detriment of tenants and of society in general.

I appreciate that there is legislation already in place, such as the Private Tenancies (Northern Ireland) Order 2006, which requires landlords to make sure that their properties are maintained in a fit state. It is time that the legislation was taken one step further in order to give the tenant the right to know the name and address of the landlord.

As I have said previously, I agree wholeheartedly with the recommendations of the Semple Report. There is a strong case for the registration of all landlords by the Housing Executive, with sanctions for

those who fail to register. It is important to remember that many tenants in the private-rental sector are supported by housing benefit, which is, after all, public money. It is important to ensure that we are getting the best possible value and providing people with the best possible service.

With that in mind, I am fairly sure that the housing affordability review implementation group will share that point of view when it publishes its conclusions.

We should look to our neighbours in the South and in Scotland for advice, and we should learn from their experiences. The model that was introduced in Scotland in 2006 provides a good framework for the development of our own system, mainly because it is strongly tied to antisocial behaviour legislation.

As I have said, landlords have a duty to their community as well as to their tenants. They not only have a responsibility to keep buildings in good order, but they must ensure that their properties are not used as dole drops or party houses. Similarly, landlords should not be permitted to evict tenants from homes at short notice without good reason. We all know that making people homeless puts a strain on our already dwindling public-housing stock. That must not be allowed to happen without the application of sanctions. Within our proposed system, sanctions should be available to punish swiftly landlords who take such action; the threat of the quick administration of anti-social behaviour orders or swift prosecution should prevent such activity.

Although I have talked about legislation and regulation, we must never lose sight of the bigger picture and the main priority. Everyone should live in a good neighbourhood and have warm comfortable homes in which they can live securely without fear or worry. The mandatory registration of private landlords will help to achieve that.

I support the amendment.

The Chairperson of the Committee for Social Development (Mr Campbell): Social housing is an issue that gains in importance with each passing month. A combination of factors in Northern Ireland ensures that we are all only too well aware of the matter. Surveys show that house prices are increasing rapidly month-on-month, making purchasing out of the question for many, particularly young people. Five increases in interest rates have occurred over the past 15 months. Those factors alone have ensured that the demand for social housing has increased significantly in that comparatively short time. As a result, the main provider of social housing, the Housing Executive, has come under severe pressure. In their constituency work, many Members have found that people who have 120, 150 or even 200 points find it difficult to get accommodation in the public-housing sector, and, increasingly, those

people are turning to the private-rental sector. We have also recently received the information that £140 million in benefits is going to private landlords to pay rent. That combination is causing problems that are unlikely to decrease; in fact, the situation will probably worsen over the next 12 to 18 months, if not beyond.

We have evidence of the Scottish scheme, which is similar to that proposed. That scheme is undergoing a review, and, at this stage, it appears that it has worked.

Many of the private landlords in Northern Ireland are bona fide landlords, with whom tenants have a good relationship and with whom there is no difficulty. However, as Mr Burns pointed out, several problems have arisen with regard to antisocial behaviour. Residents who live in close proximity to problem families may have difficulties that could be alleviated if such a register were available.

If the Assembly does not take the right steps, the situation will not improve, but is likely to worsen. I am not convinced of the benefits of the amendment, which I understand may be accepted by Sinn Féin. I hope that such a move will not create unnecessary bureaucracy for the housing affordability review implementation group, and that the Minister will say that that will not be the case.

Most private-sector landlords who are effective, efficient and law-abiding, want to see the minimum amount of fuss and bureaucracy in order to allow them to continue to offer private-rented accommodation in a manner of which most people approve, while simultaneously rooting out those private-sector landlords who do not fulfil the criteria in the way in which they should.

On balance, the DUP is in favour of the motion, and, along with Members who belong to the Committee for Social Development, and the House, I look forward to the Minister's response to the motion and the amendment.

Mr Cobain: I am disappointed to hear that Sinn Féin will accept the amendment, which compromises the original motion. Handing over the future of the registration of landlords to another agency would be a mistake. It is the job of Assembly Members to legislate, and that is what we should do.

I am in favour of introducing compulsory registration of all landlords in Northern Ireland. Sir John Semple referred to that matter in his latest report when he called for the registration of all landlords by the new local authorities, when they are established.

The case for registration is self-evident. The number of people who live in private-rented accommodation has grown steadily over the last decade because of an inability to satisfy housing needs in the public sector.

All of the housing studies that I have seen, including the Semple Report, show that there is a need to build between 2,000 and 2,500 new public-sector homes

each year in order to meet housing demand. In 2008, it is planned that 600 new public-sector homes will be completed. That will not address the need, and will drive a number of families into the private-rented sector.

There are already more than 80,000 homes in the private-rented sector, which represents more than 11% of our total housing stock. Therefore, there are a number of issues that are specific to the private-rented sector that must be addressed. Those issues include accommodation for the most vulnerable in our society. Historically, that sector also contains a higher number of other tenures.

In 2001, the level of unfitness in the private-rented sector was approximately 9%, and although that improved significantly, reducing to 6% in 2004, that figure was still higher than the overall unfitness levels in the rest of the property market. That sector provides accommodation for the most vulnerable, and covers more than 80,000 homes. Therefore, because the unfitness levels are higher than average, the case for compulsory registration is clear. No one wants to penalise landlords. Instead, we must work with and encourage landlords to improve housing conditions and standards. A registration scheme would be an ideal vehicle to achieve those ends.

The Minister for Social Development gave a commitment to examine how to bring back into use empty homes in the private-rented sector. I look forward to seeing that work completed at the earliest possible opportunity.

There is a strategy for the regulation of HMOs. The Housing (Northern Ireland) Order 2003 provided powers for the Housing Executive to introduce the statutory registration scheme for HMOs, and that has been working well since 2004.

1.45 pm

The registration requires landlords to comply fully with HMO standards; to ensure that the accommodation is fit and that it meets management standards; to provide annual certification that all fire protection equipment has been serviced and maintained in full working order; to provide electric and gas certificates as appropriate; and to pay a registration fee of £15 each year for each occupant. The drive behind that is to ensure that landlords comply with specific regulations.

The Private Tenancies (Northern Ireland) Order 2006, which came into effect on 1 April 2007, provides a new structure for the private-rented sector in Northern Ireland. Although it covers other tenancy issues, it does not go far enough on unfitness and disrepair, rent controls and certificates of fitness. It does not compel landlords to register but relies on their co-operation. That is the Order's weakness.

I welcome the motion and the compulsory registration of landlords. However, I cannot support the amendment.

Ms Lo: It is useful to consider examples from our neighbours. Private-landlord registration practices exist in Scotland and the Republic of Ireland. The Scottish scheme, established under the Antisocial Behaviour etc. (Scotland) Act 2004, aims to ensure that all private landlords in Scotland are considered fit and proper to let residential property. They must meet all legislative requirements and observe agreed standards of practice.

In the Republic of Ireland, the Private Residential Tenancies Board was set up under the Residential Tenancies Act 2004 to provide a centralised register and a comprehensive dispute-resolution service in order to avoid people's having to resort to the courts. The Private Tenancies (Northern Ireland) Order 2006 sets out the obligations of landlords and tenants, including repairs and fitness inspection, and enhances the provisions of the Housing (Northern Ireland) Order 1992. However, its scope is only to ensure that accommodation meets the minimum physical conditions for habitation. That is not enough.

More families are looking to the private-rented sector because of the chronic housing shortage, spiralling house prices and long waiting lists for social housing. Many people who would normally have applied for Housing Executive accommodation are now forced to rent from the private sector. In 2006, the Northern Ireland Housing Executive paid out £140 million in housing benefit to private landlords, which is a massive sum of money. Although it must be recognised that there is much quality private housing and good management practice, there are people who are at the bottom end of the range who pay relatively high rents for poor accommodation, often with short-term tenure and bad management. The demand for a deposit and rent in advance can also cause financial difficulty for tenants, who include migrant workers and their families who have moved to Northern Ireland to live.

The Alliance Party supports the call to regulate the private sector, which is expanding at an unprecedented rate and receives huge sums of public money in rent from housing benefit. My party agrees with the Housing Rights Service that there is a need for mandatory registration of private landlords and letting agents, which incorporates a dispute-resolution service and a statutory deposit scheme. It is essential that registration be compulsory for all landlords and letting agents and that the register be available in a publicly accessible format. It must be co-ordinated by a central agency that is similar to that in the Republic of Ireland and must have rigorous enforcement powers in order to be effective. However, the Assembly needs to be mindful that adequate consultation on such a scheme must be carried out and that there must be a sensible timescale

for its development and implementation in order for it to work properly.

I disagree with the proposed amendment. This should not be subject to the findings of the housing affordability review implementation group, as that would only delay matters. We should look at this urgently.

Mr Hilditch: I welcome the opportunity to speak on the introduction of a mandatory registration scheme for Northern Ireland. It would be a good opportunity to promote better standards in the housing sector, and would result in our communities having good-quality private-rental accommodation for a wide range of households at various income levels.

I urge the Minister for Social Development to legislate for the mandatory registration of all landlords, sooner rather than later. Registration would be an important strand of the Assembly's wider policy framework for the private-rented sector, which is designed to secure good management, good standards, and good behaviour right across the housing sector. By doing so, the legislation would reinforce the positive contribution that the private-rental sector makes to meeting housing needs in Northern Ireland. It would increase the quantity of affordable homes, develop the quality of those homes, and address the needs of vulnerable people.

By doing this we would ensure that there were proper tenancy agreements setting out the rights and responsibilities of tenants and landlords. In turn, that would prevent exploitation and harassment of tenants, and would also help in taking action where a tenant's behaviour causes a nuisance to neighbours.

According to the Department for Social Development figures, in 2005 almost 8,000 homes in the private sector, more than 3,000 Housing Executive properties and 210 homes owned by housing associations were deemed unfit. We are aware that there are negligent landlords out there, and we know the problems that they create. We have all heard the complaints about poor wiring, damp homes, health and safety issues, and even rat problems. Other agencies, such as the Housing Executive and council environmental health departments, must be called upon to resolve those problems.

Many landlords live outside Northern Ireland, and, consequently, their tenants find it impossible to get in touch with them. Absentee landlords sometimes use agencies, which brings a third party into the dispute. The lines of communication become complicated, and it appears that the tenant is being given the runaround. The Assembly must realise that many of the people living in houses in multiple occupancy are among the most vulnerable in our community.

"A House in Multiple Occupation is defined as a house that is occupied by persons who do not form a single household.

Typically, a HMO in Belfast is a three storey Victorian terraced house that has been converted into flats, and which do not always meet fire safety standards.”

Therefore, as a matter of urgency, we should be concerned for the residents’ health and safety and we should be insisting on annual gas safety certificates, safety of electrical appliances and furniture, working smoke alarms, and written terms of occupancy.

As politicians, we should encourage inspections of properties that are rented out as houses in multiple occupation. We should issue licences to landlords, as long as their properties comply with the standards of fire safety, amenities and management. We should set up databases of properties for which licences have been issued, and make that information available for public inspection. We should encourage prospective tenants to consult the registration database before renting private accommodation.

The Chartered Institute of Housing in Northern Ireland recommends the development of strategies to improve, and work in partnership with, the private-rented sector. It feels that the current housing benefit levels urgently need to be reviewed. It agrees with the principle of a mediation and arbitration service for landlords and tenants, but states that more detail is needed as to who would operate those functions. As public representatives, we should introduce penalties for landlords who are not licensed and fines for any breach of licence terms.

The other side of the coin is that we must protect our landlords. The availability and stock of social housing would collapse if landlords were not filling the void. It is difficult to provide exact figures for the number of landlords in Northern Ireland, as there are a large number of people who will not declare themselves as landlords.

We have heard of landlords complaining about their tenants, regarding the mess and damage that they cause to their properties. That should not be happening, but it happens to many landlords. If people were vandalising public property they would be charged by the PSNI, yet tenants are not charged unless their landlord takes them to court and wins the case.

I hope that the rest of the Assembly shares my views on the important issue before us. I urge the Minister to begin working on better standards of accommodation in the housing market and insist that she takes immediate action. Without the proposed legislation, it will be more difficult to eradicate fuel poverty by 2016, to halve child poverty by 2010, and to combat the ongoing problems with the lack of social housing. We will need all agencies and Departments to pull together and set dates and targets for the legislation to be passed. Like other Members in the Chamber, I am happy to support the motion as it stands.

Miss McIlveen: I declare an interest as a landlord.

The recent boom in house prices has stemmed largely from people considering property to be a good investment. After the highly publicised pension scheme frauds, the problems surrounding final payment occupational pension schemes, and a volatile stock market, it is little wonder that, having seen the price of property increase over the past 20 years, people have decided to purchase additional properties to give them security in their old age. Their mortgages and supplementary incomes are supplied by the tenants’ rent.

However, certain unsavoury types of landlord can be attracted to those situations in which large sums of money can be made. There are those who fail to fulfil their obligations as a landlord because they want to maximise the money that they make from a property, and there are those who are not fit and proper landlords because of their involvement in criminal activity. I fear that the first category of unsavoury landlord is on the increase because, first, rising mortgage rates have meant lessening profits, and secondly, people are inexperienced. The second category is also on the rise, which is evident from the excellent work of the Assets Recovery Agency. Tenants, of course, need to be protected, and although rights conferred by a tenancy agreement offer some protection, they can be enforced only through the courts. That can be a lengthy and stressful experience.

A landlord-registration scheme is a laudable idea as long as we are clear about the reason why we want landlords to be registered and about what is to be done with the information. Such a scheme can offer tenants a level of security in that they will know that the property that they are going to rent is of the appropriate standard and that the landlord is a reputable person.

Undoubtedly, there are horror stories about landlords, but many look after tenants, comply with housing regulations, and are fit and proper landlords. Currently, there is a form of limited landlord registration in Northern Ireland. That covers certain areas and HMOs that have 10 or more occupants in certain district council areas, along with other conditions. The Northern Ireland Housing Executive has the power to bring prosecutions for failure to register, as was seen in August this year when one landlord was fined £3,000 for his fifth offence.

The house must meet all the requirements that are set out in article 80(2) of the Housing (Northern Ireland) Order 1992; be fit for human habitation as defined by the Housing (Northern Ireland) Order 1981; be managed in compliance with the Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1993; and have valid current certificates for electrical and gas installations. In addition, the person having control of the house and the person managing the house must both be fit and proper persons. Each house is

registered for occupation by a maximum number of occupants, and a fee equivalent to £15 a year for each occupant is to be payable on first registration of a house. Registration is for a period of five years.

The register is available to the public for a fee, barring certain sensitive properties. The register contains certain information: the property reference number; the address of the property; the maximum occupancy level that is permitted under the scheme; a contact telephone number for the manager of the HMO; the date of the registration of the property; and the date for renewal of registration. However, it does not have — nor should any proposed register have — a provision that enables the public to search against the name of a landlord. The fact that a particular property is registered and that the landlord and manager of the property are deemed fit and proper by virtue of that registration, should be sufficient for anyone searching the register. Such a register should not afford a member of the public the luxury of prying into a person's financial affairs.

The cost of administration is one problem that I foresee with such a register. Those who apply to register will, of course, pay for that pleasure, but costs will arise as staff will have to be employed to investigate and prosecute those who do not register. Legal costs may be recoverable from those who are prosecuted, but with a vast number of rental properties in the private sector, the initial costs could be enormous.

I support the principle of the motion, but, as with everything, the devil is in the detail.

Mr McCallister: I support the motion. It aims to protect vulnerable people from bad landlords and from having to live in unfit properties and in poor quality housing. It is not concerned with those landlords who follow best practice and who are an example to others. As has been mentioned throughout the debate, our society has changed enormously, with rising house prices, increased numbers of migrant workers in HMOs, and so on.

2.00 pm

I support the motion, along with my colleague the honourable Member for North Belfast Mr Cobain. The proposer of the motion said that it was about showing leadership. I agree with him. It is about saying that this is a matter for this Assembly to decide, not farming it out to some review group. It is up to us as the leaders of this society to decide what we want to do.

Mr F McCann: Will the Member give way?

Mr McCallister: Yes, but the Member will have to be quick.

Mr F McCann: I proposed the motion to try to achieve a unified voice in the Chamber. Obviously, when I said this morning that we accepted the amendment, we did not realise the strength of feeling across the House.

Having discussed the issue with some of our colleagues, we withdraw our support for the amendment and state our preference for the original motion.

Mr McCallister: From the Ulster Unionist perspective, that is a very welcome move. The amendment would have weakened the motion significantly. As I have said, policy is for the Assembly to decide. Registration of landlords will provide protection in disputes over deposits, which the Member mentioned earlier. Landlords do have a duty of care, both for the buildings that they own and for the people who live in them.

On this side of the House, my party supports the motion.

The Minister for Social Development (Ms Ritchie): I welcome the opportunity to debate the way forward for the private-rented sector. I believe firmly in the need for all tenants to be protected, whether they live in public social housing or in the private-rented sector. Such a system needs to be open and transparent, and the housing conditions in which people live are of paramount importance. I support the spirit of the motion and that of the amendment.

I wish to clarify something before I continue — this is for the proposer of the amendment, to whom I think it may be of help. The amendment refers specifically to the Minister-led implementation group, which I hope will report in December. After that, measures will be brought forward for legislation, and the implementation group will take on board all possible ideas from within the Semple Report — such as the subject of this motion — and from without. I have encouraged the expert panel to think outside the Semple Report, because there are many issues that we need to address.

I wish to begin by answering a simple question: what has my Department already done to regulate and improve the private-rented sector? The answer is that it has done a very considerable amount. In 2004, my Department and the Housing Executive published a joint strategy for the private-rented sector, 'Renting Privately: A Strategic Framework'. That strategy was the first attempt in more than 25 years to address a full range of vital issues in the private-rented sector. I have no doubt that those issues need to be addressed, that rogue landlords need to be addressed and that all tenants need to be protected. From that strategy emerged a new piece of primary legislation, the Private Tenancies (Northern Ireland) Order 2006, which came into effect in April 2007.

The 2006 Order has established a new system of regulation for the private-rented sector. It gives clear rights to tenants and places new obligations on landlords, with district councils given strong new powers to tackle rogue landlords and poor housing conditions. The councils have been given specific powers to tackle unfitness, disrepair, harassment and illegal eviction. In

the case of unfit dwellings, they have been given powers over rent control and registration.

The law prevents unscrupulous landlords from harassing tenants, offers new protections for tenants about notice periods and, importantly, places an obligation on landlords to provide all tenants with rent books and a written statement of tenancy terms. For the first time, that will give all tenants the right to know the identity of their landlords and important written information on their tenancy terms. I am sure that all Members will join me in welcoming those important steps. Having listened to all today's contributions, I have no doubt that Members want to ensure that landlords adhere to strict conditions and that they take due notice of all tenants' rights.

Over the past few years, houses in multiple occupation have been an area of concern. Although such houses are an important provider of accommodation to students and migrant workers, they have their problems — poor housing conditions, overcrowding and poor management. In recent years, my Department and the Housing Executive have worked hard to improve the conditions of such houses. New legislation has been introduced and, in May 2004, a statutory registration scheme was put in place, to be managed by the Housing Executive. Initially, that scheme focused resources on areas where the problems were greatest, and it has now been rolled out across Northern Ireland in areas such as south and north Belfast, Derry, Coleraine, Portstewart, Dungannon, Cookstown and Bangor. Clearly, much has been done, but we must go further. Perhaps more legislation is required.

Before a rational decision can be made on how to move forward, we must be clear about the impact of our achievements since the introduction of the new legislation in April 2007. The Private Tenancies (Northern Ireland) Order 2006 has been in place for six months, so it is early days, and new measures are bedding in. Local councils are starting to exercise their powers, but there are still lessons to be learnt. I am keen to know what has gone well, where the problems lie and, above all, what more needs to be done. Therefore, I have asked my officials to talk to people on the ground — namely, local councils, the Housing Executive, advice agencies, tenants' groups and landlords — and get answers to those questions and report to me as soon as possible. Public representatives have a role to play in this also.

I am also keen to learn what works in other places. The South of Ireland and Scotland have taken different approaches to the regulation of the private-rented sector. They have both adopted registration schemes, which are relatively new. Have those schemes been effective? Do they represent value for money? Have they achieved what they set out to do?

Mr F McCann: I appreciate what the Minister says about the Private Tenancies (Northern Ireland) Order 2006, which came into effect in April 2007. However, many people think that that Order is not worth the paper that it is written on. It is better than the legislation that it replaced, but it still has no teeth. Tenants who are charged exorbitant rents by rogue landlords will not run, because they fear eviction and intimidation. A former direct rule Minister declared that houses in multiple occupation would be allowed to be built in areas of Belfast other than south Belfast.

Mr Deputy Speaker: Does the Member have a question?

Ms Ritchie: That was a comment rather than a question. It illustrates the fact that I need to spend some time with my officials to ascertain the impact of the 2006 Order. If I find that the Order has not been effective, I will introduce changes quickly, because I want to be absolutely sure that the right legislation is in place in order to protect tenants. Various questions must be answered before the Department can say whether a registration scheme will work in Northern Ireland. My officials are currently examining those issues.

We must also consider the Semple Report on affordable housing. I take Fra McCann's comments on board about the number of people on waiting lists and the many people who are homeless.

That is why we must increase the level of supply of social and affordable housing to meet demand, and why I said that I inherited a woefully inadequate budget. Above all, it is why I said that I need the support of my ministerial colleagues to factor into the draft Programme for Government the need for social housing to be a priority so that it can be used as an instrument for tackling deprivation and disadvantage. It must be given a high priority when it comes to budgets.

Sir John Semple adopted a clear line on the valuable role that the private-rented sector plays in the housing mix, and he made the case for the registration of all landlords. However, that case is based on the new local authorities' undertaking the registration and enforcement role, following the implementation of the review of public administration, and will need to be explored further as the Executive and the Assembly debate the way forward for local government. Full registration is not easy; it is a huge and costly matter, and I welcome Sir John's pragmatism in recognising that point and in proposing a progressive move towards registration that builds on existing work.

Today, I will not have time to respond to the points made by individual Members. However I will write to them, in due course, after the debate.

Mr A Maginness: The debate has been interesting. Everyone agrees on the principle of having a mandatory registration scheme for private landlords, and I do not

think that there is any doubt about the Minister's intention to move in that fashion. However, there is disagreement on the amendment, and I am disappointed that Mr McCann sought to withdraw the support that was previously pledged. I would not like to be going into battle with Mr McCann as my leader.

[Interruption.]

After the first shot, he would flee the battlefield.

Mr Deputy Speaker: Order. I ask Members to make their remarks through the Chair.

Mr A Maginness: I am not trying to engage with Mr McCann directly. There was a bit of panic by Mr McCann and his Sinn Féin colleagues, given the remarks of my friend from North Belfast Mr Cobain regarding the amendment.

The amendment is perfectly sensible. When one is proceeding with legislation, the first thing to do is to establish the principle of the legislation, which has been accepted by everyone in the House. Then, in order to put the legislation into context and give it shape and form, one has to be advised as to how that should be done. In this case, there is no better way of doing that than through the housing affordability review implementation group. It is a pity that it could not be given a shorter name. That group will report to the Minister who will, in turn, report back to the Assembly. Therefore, there is nothing to be frightened of.

It is quite clear that there are various ways of dealing with the matter. Scotland has a scheme, as does the Republic of Ireland. The main thrust of the Scottish scheme is to deal with antisocial behaviour, and we could take some lessons from that. However, I note that the scheme introduced by the Department and the Housing Executive, in relation to houses in multiple occupation, failed in the courts, as it was regarded to be too onerous on landlords and disproportionate in its terms.

2.15 pm

I ask the House to rethink its apparent opposition to the amendment. Owing to the fact that so many people are dependent on private-rented accommodation, there is an obvious need for increased regulation. Such regulations should be introduced.

I emphasise that the implementation group, which is led by the Minister, is backed by the Executive — I refer to the Northern Ireland Executive, not the Housing Executive. It is important that that ministerial support continue.

Some of the comments that were made during the debate related to the terms and conditions that apply to people who live in rented accommodation. In many ways, that matter has been addressed by the Private Tenancies (Northern Ireland) Order 2006, which is a good set of proposals. The House should bear that in mind.

Mrs McGill: Go raibh maith agat, a leasCheann Comhairle. I welcome the Minister to the House. There was some comment during the debate about Sinn Féin's panicking over whether to accept the amendment. I wish to say from the outset that we did not panic. We fully discussed the matter this morning when we received the amendment. My party colleague Fra McCann said early in the debate that we would accept the amendment because we believe that the motion is exceptionally important, and we did not wish to divide the House. We thought it important to have a mature debate. I repeat that we did not panic; we gave the matter full consideration.

The Chairperson of the Committee for Social Development said that the motion was not aimed at all landlords; it is not — as he rightly said, there are many bona fide landlords. However, in offering leadership, it is important to urgently put in place measures to deal with landlords who are not behaving as they should, no matter who their tenants are. A number of Members, including Mr Cobain, the Minister and others, referred to the 2006 Order, which came into effect in April 2007 — indeed, Mr Burns referred to it at the start of his speech. Mr Cobain was quite right to say that that Order does not go nearly far enough. It is not at all clear how the Order addresses the matter that is under debate, namely the mandatory registration of private landlords.

The Committee for Social Development received a page and three quarters of correspondence that pointed out all the deficiencies of the Order. I am not saying whether the group that sent that correspondence is correct, but I agree with the Members who said that the 2006 Order does not go far enough. I do not see provision anywhere in that Order for the mandatory registration of private landlords.

I listened to Mr Burns, who did not often refer to his own amendment. I felt that his heart was with the House's agreeing the motion. Perhaps that is what he really wants in his heart of hearts, and, if that is the case, I agree with him.

I spoke to Advice NI this morning, and it says that, if the difficulties that Members have highlighted were to arise in the contract between landlord and tenant, in that people on income support who receive housing benefit cannot make payments, those difficulties should be addressed as a matter of urgency.

As I have said, we did not panic at all over whether to accept the amendment. We did not want to divide the House, but, because the text of the amendment does not urgently address the matter, we are minded to say that the mandatory registration of all private-sector landlords should be dealt with in legislation.

The Minister referred to the Semple Review. The Chairperson of the Committee for Social Development was worried that it would add a layer of bureaucracy.

We share his concern — any added bureaucracy would not be welcome.

A leasCheann Comhairle, Anna Lo also said that the mandatory registration of all landlords should be addressed as a matter of urgency. Overall, very few contributors disagreed.

LeasCheann Comhairle, sin é go raibh míle maith agat. My party did not panic. We did not want to divide the House, but we will be supporting the motion. Go raibh maith agat.

Question, That the amendment be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly calls upon the Minister for Social Development to legislate for the mandatory registration of all landlords in the private sector.

Mr Deputy Speaker: We now suspend —

Mr Kennedy: On a point of order, Mr Deputy Speaker. Has the Speaker's Office, or, indeed, any of the Deputy Speakers, considered the acoustic that currently obtains in the Chamber? Many Members find it to be unsatisfactory. I know that microphones for the Front Bench have been newly arranged, but considerable problems persist, not least for people in the Public Gallery, who are unable to hear large sections of debate. Whether that is a good thing or a bad thing is a different matter, but, nevertheless, I am concerned about the Chamber acoustic.

Mr Deputy Speaker: I note the Member's concerns, which will be referred to the Speaker's Office, where, no doubt, they will be the subject of further discussion.

I suggest that Members, when speaking, avoid holding papers over the microphones, because that causes muffling.

Mr McNarry: What did you say, Mr Deputy Speaker? I cannot hear you.

Mr Deputy Speaker: I am sure that I will improve.

I will repeat what I have just said. The issue that Mr Kennedy raised will be referred to the Speaker and to the Business Office. In the meantime, I suggest that Members, when speaking, do not hold papers over the microphones. I hope that I was heard that time.

It is almost time for questions for oral answer, so I shall suspend the sitting until 2.30 pm.

The sitting was suspended at 2.25 pm.

*On resuming (Mr Speaker in the Chair) —
2.30 pm*

ORAL ANSWERS TO QUESTIONS

Health, Social Services and Public Safety

Trilingual Translation Services

1. **Mr McCallister** asked the Minister of Health, Social Services and Public Safety to make a statement on his Department's approach to trilingual translation services. (AQO 217/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): My Department will honour its obligations under the European Charter for Regional or Minority Languages. In Northern Ireland, that applies to Irish and Ulster Scots, although each has a different status under the charter. In line with that, I have decided to adopt a trilingual approach to the Department's title on letterheads. I have, however, discontinued Irish-language translations of advertisements and press releases. Departmental publications may be made available in Irish or Ulster Scots on request, providing that those requests meet certain criteria. Moreover, my Department will accept correspondence in Irish or Ulster Scots and will consider arranging for translations so that responses can be provided in the same language that the correspondent has used.

Mr McCallister: I thank the Minister for his answer and for the sensible approach that he has taken on the issue since he took up office.

Does he agree that every penny in the Health Service is precious and that any financial efficiency that is achieved by savings on translations and advertising costs should be ploughed back into front-line services to ensure top-quality care for everyone in Northern Ireland?

Mr McGimpsey: I agree with those sentiments. In an area such as health and social services, every penny is precious because the health and well-being of every man, woman and child in Northern Ireland is involved. It is crucial that full use be made of every resource that is allocated.

Mr McCausland: I also welcome the Minister's decision. Can the Minister provide the House with figures that show the amount of money that his Department has spent in the years since his predecessor as devolved Minister introduced her policy of bilingualism?

Mr McGimpsey: In the past five years, since the onset of suspension, £151,000 has been spent on translation. I know that substantial funds were expended during the previous period of devolution.

With the increased activity that devolution has brought, I would have anticipated a substantial increase in that figure, to beyond £30,000 a year.

Fireworks

2. **Mr McClarty** asked the Minister of Health, Social Services and Public Safety (a) what plans he had to raise awareness of the health dangers associated with fireworks; and (b) what discussions he had had with other Departments on this issue, ahead of the Halloween period. (AQO 214/08)

Mr McGimpsey: I am launching a fireworks-safety campaign on 8 October to coincide with the lead-up to Halloween 2007. The campaign will highlight the health dangers that are associated with the misuse of fireworks. My interest in fireworks is concerned with reducing — better still, eliminating — the number of avoidable injuries that they cause.

In addition, my Department funds the Northern Ireland regional office of the Royal Society for the Prevention of Accidents (RoSPA), which, along with its other messages, promotes fireworks safety. I am particularly concerned about the injuries that fireworks can cause to children and the traumatic effects that they can have on elderly people. Therefore, I wish to see greater control of those dangerous devices. That requires the adoption of a multi-agency approach, and, to that end, I recently met with Paul Goggins, who has responsibility for the control of fireworks, to discuss improvements in the enforcement of controls.

Mr McClarty: I thank the Minister for his response. It is reassuring to know that the Minister and his Department take a proactive approach in tackling what is an important matter. In launching the fireworks-safety campaign, will the Minister ensure that the key messages from that campaign continue after Halloween so that people are continually made aware of the real dangers that fireworks pose?

Mr McGimpsey: It is important that the message is not simply lost after Halloween. People are injured year on year.

The introduction of licensing for the sale and use of fireworks in 2002 led to a significant reduction in injuries. However, since then, there has been a steady annual increase in the number of injuries. Therefore, the Department cannot afford to be complacent and the message must resound every year and throughout the year.

Mr Burns: Given the health risks associated with the burning of toxic materials on bonfires, why was the Department not represented on the inter-agency working group on bonfires that was set up in 2003?

Mr McGimpsey: The inter-agency approach was an initiative that was inspired by local government. I was

involved in that as a member of Belfast City Council, and several Members were similarly involved. The issue requires the involvement of agencies and communities because, as the Member is aware, bonfires are an important part of a tradition in Northern Ireland. Therefore, the safe application of that tradition, ensuring that toxic materials are not burned, is a matter for everyone.

Mr I McCrea: I thank the Minister for his comments. There is no doubt that a multi-agency approach is required, and some councils take a proactive approach to the problem. Will the Minister advise the House of the extent of acquisition of fireworks without licences? What actions are being taken to limit that practice, and what more can be done?

Mr McGimpsey: One of the problems, to which I have referred, is the steady rise in injuries since licensing was introduced in 2002. That is primarily due to the increased availability of illegal fireworks. Because people unscrupulously avoid the licensing arrangements and sell fireworks illegally, they fall into the wrong hands. Given that 97% of people who are injured are male and more than 70% are minors — under the age of 18 — the problem mainly concerns children and young people.

This is a matter of control. To that end, my Department involves other Departments and agencies, such as the police, the Department of Education, the Ambulance Service, the Fire and Rescue Service and community safety units, in trying to get our message across and in attempting to gain control, particularly of the illegal importation and sale of fireworks.

Promotion of Good Mental Health

3. **Ms Lo** asked the Minister of Health, Social Services and Public Safety what support his Department was giving to students' associations with regard to promoting good mental health among students and young people. (AQO 295/08)

Mr McGimpsey: The 'Promoting Mental Health Strategy and Action Plan for 2003-2008' was published in 2003 and includes 30 actions designed to promote the health and well-being of the entire population. Those include personal development programmes, directories of services and the training of youth workers and teachers.

In line with that strategy, the Health Promotion Agency for Northern Ireland has been working in partnership with the National Union of Students and the Union of Students in Ireland to support the mental health of students in higher education. Their work includes the distribution of the 'Mind your head' booklet to first-year students. The 'Share It' advertisement that was broadcast as part of the implementation of the suicide prevention strategy also encourages young

people to share their problems and to seek help at times of crisis. In light of the publication of the suicide prevention strategy and the recommendations of the Bamford Review of Mental Health and Learning Disability, the 'Promoting Mental Health Strategy and Action Plan for 2003-2008' is now being revised.

Ms Lo: I thank the Minister for his answer.

Mr K Robinson: The University of Ulster is in my East Antrim constituency, and I am aware of the excellent day-to-day work of its medical centre. Given the focus on mental health in recent weeks, is any specific work being undertaken directly with local universities to promote mental-health issues in general?

Mr McGimpsey: As far as I am aware, the University of Ulster and Queen's University Belfast have developed mental-health strategies to promote good mental health among the student population. As a matter of course, GP practices in university areas specialise in providing services that are tailored to meet students' needs, which include the promotion of good mental and sexual health. In addition to that, the University of Ulster carries out other related work. The stress and expectations among young students, particularly at universities, and the pressure that they feel under to make the grade and be successful in their degree course, have prompted that supplementary question and also those strategies that the universities have developed.

Mr Simpson: I am sure that the Minister is aware of the Health Promoting Schools initiative, which has proved to be internationally effective. However, the Department of Health, Social Services and Public Safety and the Department of Education recently refused to fund it. Will the Minister agree to revisit that decision?

Mr McGimpsey: The Department of Health, Social Services and Public Safety has introduced a number of initiatives, not least the Investing for Health strategy, which has been successfully in place for five years. I will enquire about the status of the Health Promoting Schools initiative in the Department, and I will inform the Member of the position in writing. He can then discuss the issue with me if he wishes.

Agenda for Change: Ulster Hospital

4. **Mr Easton** asked the Minister of Health, Social Services and Public Safety to explain the delay in implementing the Agenda for Change programme for clerical staff in the Ulster Hospital. (AQO 220/08)

Mr McGimpsey: Agenda for Change implementation for the 745 clerical staff in the Ulster Hospital is progressing in the same way as in other trusts. The process and timetable for implementation have been agreed in partnership with regional staff representatives, and significant progress has been made in the past two

months. Over 57%, which represents 425 members of staff, will move to Agenda for Change rates of pay within the next month. All staff will receive their increases, and they will be backdated to 1 October 2004. I recently met the main unions to review progress.

Mr Easton: What commitment will the Minister give to those staff who have been affected by the Agenda for Change programme? When will staff receive their entitlements? When will he commit to using his time more wisely and sort out this four-year process as a priority, instead of spending and wasting time interfering in the business of the Committee for Health, Social Services and Public Safety?

Mr McGimpsey: I am not aware of my interfering with the work of the Committee for Health, Social Services and Public Safety, and I have not heard any remarks about that. As far as the work of Agenda for Change is concerned, Members must understand that 63,000 healthcare staff must be assessed, graded and accorded new grades in relation to the skills and jobs that they do in order to determine their new rates of pay. To date, 97% of staff have been matched to those new grades, so there is no question of anyone's time being wasted. We must bear in mind that 63,000 members of staff require individual interviews and assessments. When they are matched to the new pay bands, their pay will be backdated. Some 65% of healthcare staff and 62% of social services staff are on the new rates of pay. Matching will be completed for all staff in the service by the end of December 2007, and the new rates of pay will be in place by the end of March 2008.

Mrs D Kelly: Will the Minister assure the House that all moneys required to implement Agenda for Change have been provided to each board and trust? Will he further guarantee that audit and accounting mechanisms have been established to ensure that the money is spent on the purpose for which it was intended?

Mr McGimpsey: On both points, I assure the Member that the money that was previously bid for has been set aside. As I said, a large portion of that money has been allocated already, and the rest will be allocated in the next few months — certainly before the end of March. Sixty-five per cent of staff are receiving the new rate of pay — 62% in health and social services — which is backdated to 1 October 2004.

2.45 pm

Suicide Prevention

5. **Mr Cobain** asked the Minister of Health, Social Services and Public Safety to make a statement on the work of his Department in relation to suicide prevention. (AQO 216/08)

Mr McGimpsey: A suicide prevention strategy, which contains over 60 actions that aim to reduce the rate of suicide, was launched on 30 October 2006. I have allocated over £3 million annually to support the implementation of that strategy. Of that funding, £1·8 million has been invested in local communities.

A cross-sectoral suicide strategy implementation body has been established to oversee and advance the introduction of the strategy. Membership of that body includes representatives from the statutory and voluntary sectors, members of bereaved families, and members of those communities that have been most affected by suicide. The greatest strength of the body is that it brings together all the key players and stakeholders in the issue to advance the implementation of the strategy.

Mr Cobain: I thank the Minister for taking a personal interest in the issue and for visiting recently the community representatives in north and west Belfast who help those who need assistance with this matter. Does the Minister agree that further investment in mental-health services is important and that any cuts in the health budget will have a devastating impact on those who are on the front line and are attempting to save lives?

Mr McGimpsey: Yes, I agree unreservedly. As I mentioned, the Department has a suicide prevention strategy and an implementation body in place that provide mechanisms for various forms of action. Such actions have been discussed in the House; therefore, I will not list them again. That does not mean that anyone in my Department is complacent. As we are aware, suicide rates have doubled, an increase that is largely in the young. Dealing with that is a key priority for me and the Department.

Suicide is one of the most graphic examples of what poor mental health can do. The Bamford Review, which is an exhaustive review of mental health, demonstrates that mental ill health in Northern Ireland is 25% worse than that in England. If we use England as a benchmark, mental-health needs in Northern Ireland are 25% greater. In addition, the spending on mental health in Northern Ireland is about 25% less than in England. That big gap must be addressed. After inescapable costs for diseases that directly kill — such as cancer and strokes — my number one bid in the comprehensive spending review is to fund the implementation of the Bamford Review's recommendations.

Mrs I Robinson: The Minister said earlier that “every penny is precious”. The Health Committee has responded to the worrying increase in suicide in Northern Ireland by urgently setting up a full inquiry, which includes going to Scotland in November, DV, to learn from the experiences of the Choose Life strategy. Why is the Minister not prepared to let the Committee report its findings to him? Instead, he is duplicating our work in the Department. That indicates that he is interfering, despite his protestations.

Mr McGimpsey: I am almost, but not entirely, lost by that comment. As I have repeatedly said to Mrs Robinson and to the Deputy Chairperson of the Committee, I want to work with the Committee, and envisage working as a team. If Mrs Robinson has issues, the door to my office is always open. I will be at the Committee's meeting on Thursday. I totally agree with her about duplication of work — I have no desire to see that.

Mr O'Loan: The provision of mental-health nurses is an important element in a suicide prevention strategy. The Minister will be aware of the small number of teaching places that are available in Northern Ireland for such nurses.

He will also be aware of the Bamford Review's recommendation that the number of teaching places be increased. I welcome the Minister's support for the outcomes of the Bamford Review. What discussions has the Minister had with the universities here on the number of teaching places for mental-health nurses, and what progress can he report?

Mr McGimpsey: Mr O'Loan is correct. There are 400 mental-health nursing vacancies — a huge amount. However, that does not apply solely to Northern Ireland. There is a shortage of mental-health nurses in the other home countries — England, Scotland and Wales — and in the Irish Republic. In fact, there is a universal shortage. This year, we increased the number of training places to 70. It is expected that approximately 53 new mental-health nurses will graduate; therefore, not all of the places are being taken up. I am looking at that again as an urgency, because one of the key matters around the Bamford Review related to how staff can be encouraged to take up those places. It does not matter how many beds are available; without the staff to man the beds, the beds cannot be opened. Staffing is an important determinant, and is one of the big obstacles.

Tyrone and Fermanagh Hospital: Acute Mental-Health/Psychiatric Beds

6. **Mr McElduff** asked the Minister of Health, Social Services and Public Safety what proposals he had to either increase or reduce the number of acute mental-health/psychiatric beds at the Tyrone and Fermanagh Hospital in Omagh. (AQO 227/08)

Mr McGimpsey: The Western Health and Social Care Trust's recent mental-health review, ‘Health in Mind’, and the recent Bamford Review, both recommended a reduction in acute inpatient beds in tandem with the development of a range of alternative community services, such as home treatment teams and crisis intervention teams. The number of mental-health acute beds in the Tyrone and Fermanagh Hospital was recently reduced from 52 to 42 as a result of the services provided by several alternatives to hospitals, such as Ferone

Drive in Omagh, Clare House in Enniskillen — both step-down facilities — and Ramona House in Omagh, which is an additional unit. It is the trust's intention to reduce acute mental-health beds further as community places become available, in line with the Bamford Review's recommendations.

Mr McElduff: I thank the Minister for his reply. Does the Minister agree that all the health indicators west of the Bann point towards great health investment? Can the Minister assure the House — and me — that he will continue to invest in mental-health provision in the Tyrone and Fermanagh Hospital and west of the Bann?

Mr McGimpsey: As Mr McElduff is aware, we have announced a new hospital facility in Omagh — the enhanced local hospital. It will include 97 mental-health beds, some of which will be for acute mental illness. The thrust of the Bamford Review and the strategy is that patients do better outside of hospital. They do better in their homes, if they can get the support they need. That does not apply to everyone, but it is the thrust of the findings. Our mental-health budget spend on hospitals is about 54%, whereas that in England is 40%. I use England as the benchmark on the trend for the way forward. There is probably an argument about our making an over-provision; perhaps we are too inclined to send patients for long stays in hospital, when it would be more appropriate and beneficial to give them support in their communities. That is the thrust of areas of the Bamford Review, and, as we consider its implementation, I expect to have further discussions on those issues.

Dr Deeny: I thank the Minister for saying that acute psychiatric services will remain in Omagh. That is the very least that we expect from his Department.

The Minister and his Department are — rightly — to spend £65 million on a proper hospital in Downpatrick that will provide for the people of Downpatrick and surrounding district the essential, lifesaving services of an accident and emergency facility, inpatient medicine and coronary care — vital services that the Downpatrick and district GPs need for their patients.

The Minister stated when he became Health Minister that he would listen to the health professionals. However, he proposes to spend £190 million of public money — almost three times the amount spent on the Downpatrick hospital — on a so-called hospital in Omagh, on the site of the Tyrone and Fermanagh Hospital.

Does the Minister listen to the GPs and other health professionals of our area? If so, will he and his Department provide the new Omagh hospital with those vital lifesaving services of coronary care, inpatient medicine and accident and emergency facilities, which are essential in emergency situations to allow us — as front-line health professionals — to save the lives of patients in County Tyrone?

I will finish by asking the Minister —

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

Dr Deeny: I am quite angry and upset, because it seems that the Minister is duplicating what we are doing in the Health Committee. Is it duplication or coincidence? First, within a week of the Committee's talking about infections in hospitals, the Minister was doing something about it; second was the case of Mrs Caldwell; and third is the Health Committee's plan to visit Scotland. Within days we will see the Minister duplicating the Committee's work on that.

Mr McGimpsey: I would need another Question Time to deal with Dr Deeny's questions.

To answer his last three points, those issues were on the record and talked about in this House, and in other places, and Scotland offered good practice for suicide prevention. The Department is looking hard at that, and has already had discussions about suicide. There is a five nations group that deals with suicide, including Northern Ireland, Scotland, England, Wales and the Irish Republic. That is all on record. It cannot be said that the Department is jumping the Committee's gun.

With regard to infections in hospitals, I get constant questions about MRSA and *C difficile*. The Department has already had one initiative on hospital cleanliness before the summer, and I am still looking closely at that. I may not be doing Gordon Brown's "deep clean", but patient safety is key. For me to not do so because the Health Committee wants to talk about it would not be a responsible way for me to go forward. The Caldwell case came about at a particular point in time, and it is not a fair criticism.

The original question was about mental health. There will be 97 mental-health beds, as follows: 28 acute mental-health beds; 20 elderly mental-health beds; nine alcohol and treatment beds; 20 challenging-behaviour beds; and 20 challenging-behaviour beds for the under-65s. That is part of the Omagh hospital project. I recall Kieran Deeny telling me to keep my hospital when I told the Committee that that was part and parcel of what was happening in Omagh.

Mr Buchanan: The Bamford Review encourages the redirecting of more resources into the community. Can the Minister tell us what progress has been made on upskilling staff and enhancing services in the community in the Omagh and West Tyrone area? Will he give a commitment to the House that he will provide full, acute, life-saving services at the Tyrone County Hospital at Omagh, instead of continually interfering with the work of the Health Committee?

Mr McGimpsey: I am almost tempted to ask for that again, but we have already had a large part of it.

I am planning to go ahead with training for staff, because delivery and implementation is key when there

is a policy to deliver on the ground. I have already set out what the Department and the trust intend to do at the Tyrone local hospital, although there is a long way to go before the hospital plan is decided.

I entirely refute the suggestion that I interfere with the Health Committee.

Some Members: Hear, hear.

Care Matters

7. **Miss McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the funding his Department is making available to implement the Care Matters strategy for the most vulnerable children in need of care. (AQO 213/08)

Mr McGimpsey: Responses to the 'Care Matters in Northern Ireland: A Bridge to a Better Future' consultation, which finished recently, are being analysed and considered before determining the final policy.

Funding for the initiative will depend on the outcome of the comprehensive spending review, which is still under consideration. Therefore, it is not possible to give a more detailed answer at the moment. However, the Department is identifying those elements of the strategy that have a neutral or moderate cost, and is consulting colleagues in the voluntary and statutory sectors about implementing those changes and improvements as quickly as possible.

Care Matters will build on recent investments in foster care, leaving care and children's residential homes. That includes introducing nationally agreed minimum foster-care allowances, more foster-care support workers and more resources to recruit foster carers from children's extended families. That also includes the appointment of personal advisers for care-leavers and measures to enable care-leavers to continue living with their former —

Mr Speaker: I must interrupt the Minister because Question Time is now over for his Department. I apologise to the Member that she cannot ask a supplementary question.

3.00 pm

(The Deputy Speaker [Mr McClarty] in the Chair).

Regional Development

Derry/Londonderry to Belfast Railway Line

1. **Mr McCartney** asked the Minister for Regional Development to outline the next steps in the development of the Derry/Londonderry to Belfast railway line. (AQO 269/08)

The Minister for Regional Development (Mr Murphy): Some £12 million of funding has been earmarked to finance a major project that is designed to extend the track life of the line between Ballymena and Coleraine on the Belfast to Derry railway line. Translink hopes that, when approved, the project will commence work on site early in the new year. In the meantime, the Department has approved funding of almost £500,000 to enable Translink to carry out urgent remedial work on wet beds on the line close to Ballymoney.

In planning for the future, the Department and Northern Ireland Railways have worked together on an interdepartmental steering group to examine a range of investment options for future railway provision. As a result, a bid has now been submitted for additional funding to upgrade the Derry line as part of the second investment strategy for Northern Ireland. Future levels of spending on the line, and on rail infrastructure generally, will be determined after the outcome of the budgetary process.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. Does he agree that the development of the Derry line is vital for the further development of the north-west and for his commitment to regional balanced improvements?

Mr Murphy: I agree that the development of the Derry line is key. As the Member and other representatives from that area will know, a spatial development strategy for the north-west generally is under way. That strategy takes in Derry and Letterkenny, and central to it will be infrastructure that will support the area's development. That includes not only the railway but the A5, the north-west gateway that was announced recently, the port, and improvements to the airport. All those aspects are vital to making Derry the regional centre of the north-west area. Supporting infrastructure is needed so that Derry can develop to its full potential, and I support that desire. I know that infrastructure is key, and that is why I am keen to see appropriate infrastructure investments made in the north-west.

Mr G Robinson: Does the Minister have any plans to improve the frequency and speed of the railway service between Belfast and Londonderry, similar to that considered for the Belfast to Dublin line?

Mr Murphy: The bid that has been submitted is to upgrade the Derry to Belfast line. Money has already been invested in stock, which has greatly improved comfort, as well as passenger numbers, on the service from Derry to Belfast. The steering group that examined the investment options felt that the line needed to be upgraded in order to improve the speed and, it is hoped, the frequency of trains. It has been shown elsewhere that investment in railway lines and stock has improved frequency, journey times and passenger uptake.

Mr Dallat: The Minister has said that the £12 million will be concentrated on the line between Belfast and Ballymena. What has happened to the rest of the line, from Coleraine to Derry? Has he discovered what happened to the original £21 million, and has he applied to the European Union for funding under TranSystems, as has been done successfully by the Dublin Government for the Cork to Dublin line?

Mr Murphy: The Department will try to secure funding wherever possible. The decision to maintain the line was taken under a previous Administration, and that was the status when I took up office. I have approved a decision to upgrade the line from Derry to Belfast, and the Department has bid for funds to do that. That is an advance on the position under the previous Administration.

Mr Deputy Speaker: Question 2 has been withdrawn.

Planning Policy Statement 14

3. **Mr Boylan** asked the Minister for Regional Development if he will give a timescale within which he will make a statement to the Assembly on Mr Justice Gillen's decision on Planning Policy Statement (PPS) 14: Sustainable Development in the Countryside.

(AQO 275/08)

Mr Murphy: The judgement by the courts in the judicial review of Planning Policy Statement 14 found that the Department for Regional Development did not have the statutory authority to make draft PPS 14.

On 27 September, a hearing on remedies was held in which a final decision was reserved. A judgement is expected this week, and I will consider the implications of that decision in conjunction with the Minister of the Environment, Arlene Foster, and ensure that the Assembly is appropriately informed at the earliest possible opportunity thereafter.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that there are widespread concerns about this issue in rural communities? Pending the decision on Thursday, will he confirm that the matter will be addressed as soon as possible?

Mr Murphy: It is not only in rural communities that there are widespread concerns about planning policies, although they are more keenly felt there. As a consequence, all the parties that were involved in the Preparation for Government Committee agreed that PPS 14 must be reviewed.

There was consensus that the previous policy should not be restored and that the Executive should develop a more balanced policy that is less restrictive than PPS 14 and sympathetic to sustainable development in the countryside and rural communities.

Further to my submission of a paper, the Executive agreed to set up a subcommittee to develop a more balanced rural development policy. That work continues in parallel to, and in anticipation of, the outcome of the court case. The subcommittee met stakeholders and will shortly meet the relevant Ministers.

Whatever emerges from the courts this week will have implications for that; however, it is important to continue the work that the Executive undertook as a result of an all-party report before the restoration of devolution and to strive to develop a balanced policy, which is important for the whole community.

Dr W McCrea: In view of the previous answer, what progress did the Minister make in bringing forward the work of the ministerial review team on PPS 14, before the announcement of the judicial review of the policy?

Mr Murphy: Several things have happened. First, we had wide-ranging debates in *Tí Chulainn* in Mullaghbane and the Rural College in Draperstown, where we met groups of stakeholders that had responded to the consultation process for PPS 14.

The Executive subcommittee was formed and was due to meet before the court case began. The initial implication from the court case — we await its final judgement — was that the project to decide on, and review, PPS 14 should not be progressed by the Department for Regional Development. The implications of that must be considered.

Although I must discuss the issue with my colleague Arlene Foster, I want the Executive to carry on with their work to produce a balanced policy, for which the parties in the Assembly gave a clear mandate. I am content for that work to continue under the authority of the Executive subcommittee if the desired policy is produced.

The work of that subcommittee is hampered because we await the ruling of the courts. However, I expect some conclusion this week, and the Executive subcommittee will be able to commence its work. I hope that it will have the space to develop a new policy over the coming months.

Mr McGlone: Go raibh maith agat. Mr Boylan stole some of my thunder when he referred to the considerable pressures on rural communities from rural planning and affordable housing for rural dwellers.

In the light of those considerable concerns, will the Minister explain why, embarrassingly, the Executive subcommittee has not yet met some three months after it was set up, although two consultation meetings have been held in outside locations? I am unsure whether the ongoing court case is the reason.

Mr Murphy: As I explained in my answer to Rev McCrea, the subcommittee was due to meet, and it did

undertake some consultation work with stakeholders late in the summer. It had been decided previously that I would be the Chairperson of the subcommittee; however, the court ruling was expected, and we knew that it would have implications on who would be the Chairperson of the subcommittee. Therefore, we have had to wait for the court's full response.

As we have anticipated, the early indications are that the judge will rule that the Department for Regional Development should not have taken forward the policy. Therefore, to undertake to review and take forward a new planning policy would, in the court's view, be the responsibility of the Department of the Environment. That ruling will have implications for the way in which the subcommittee takes forward its work.

We are expecting to hear the final judgement this week. Everything is in place to carry the work forward: the subcommittee has had useful consultation with stakeholder groups, and I expect that it, with whoever is the Chairperson, will begin work very soon.

Traffic Congestion in Lurgan

4. **Mr O'Dowd** asked the Minister for Regional Development what discussions he has had in relation to the bid to bring forward plans for a road bridge or underpass to resolve the traffic congestion in Lurgan, due to the three different railway level crossings in the town. (AQO 289/08)

Mr Murphy: As the Member will be aware, Lurgan is one of 29 towns for which local transport studies were undertaken during the development of the 'Sub-Regional Transport Plan 2015'. Consultation with elected representatives, including those from Craigavon Borough Council, was carried out at that time.

Among other issues, the study highlighted traffic delays on William Street, which is one of the main arterial routes into the town and the location of a level crossing. However, further assessment did not consider a scheme at that location to be suitable for inclusion in the plan. The locations of the other two crossings, at Bells Row and Lake Street, were not considered to be problem areas for traffic delays.

At the request of Craigavon Borough Council, a meeting was held with senior officials from my Department, and it was agreed that a further study would be carried out to assess the William Street crossing and develop and consider options for its possible removal. In particular, the merits of constructing a road overbridge or underbridge were examined. The results of that study have been received recently and are being considered. Roads Service will issue the final report to Craigavon Borough Council for comment in the near future.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. He is aware that it is a matter of concern for traders and the business community in the Lurgan area, because the three crossings that go through the town centre have a detrimental effect on the social and economic regeneration of the town. I look forward to receiving the Roads Service study, and I will come back to the Minister on the matter.

Mr Murphy: I thank the Member for his comment.

The key traffic problem occurs at the William Street crossing. A railway line that crosses a busy town street will present considerable difficulties when deciding to put the road over or under it. Nonetheless, Roads Service has undertaken to conduct a study of the matter and will be open to discussion with Craigavon Borough Council to examine the options for alleviating the traffic problem there. The problem is considerable and it will be difficult to resolve. However, the Department is content to examine it.

Mr Deputy Speaker: I thank the Minister for answering a question where there was none.

Mr Gardiner: The Minister might have answered part of my question, but will he take steps to address the obstruction of traffic entering Lurgan town centre from the M1 that is posed by the crossing in William Street, as it is a contradiction of PPS 5, which encourages access to town centres and town shopping centres?

3.15 pm

Mr Murphy: The Member will be aware that other measures are being examined as regards traffic congestion in Lurgan, such as at Gilford Road and Millennium Way. As in all towns in the North, problems with illegal parking have also contributed to unnecessary traffic congestion.

Nobody underestimates the problem that the William Street junction poses or the difficulties involved in solving it. As the Member knows, the railway crosses a main arterial route in the middle of a busy town centre. As I said, Craigavon Borough Council prevailed upon Roads Service to consider the matter again. The report is due soon, and, no doubt, there will be further discussion on what can be achieved to alleviate the traffic problems in that area of Lurgan.

Mrs D Kelly: I can assure the Minister that the crossing at Bells Row in Lurgan causes traffic problems for me.

Further to the Minister's comments about reports that he is waiting to be completed, does he have any money in his budget for the current year, or a strategy in a 10-year plan, to facilitate a crossing at William Street, in particular? Will the report include an engineering study and a feasibility study?

Mr Murphy: We will not know how much a crossing at William Street will cost until the report is concluded. Therefore, it is difficult to include a sum in any budget or to do any planning to accommodate that. The report will consider seriously what is required and what is possible in the William Street area.

Building an overpass on a busy street with a railway crossing would have an effect on the properties in that area because there would be a high-level road outside people's bedroom windows. Alternatively, to put an underpass in place would be a significant project. Therefore, the Roads Service report will examine all the options and will undoubtedly outline some indicative costs. After that report is produced, the Department will ascertain how feasible that project is, and whether it can be included in the plans for the budget in the years ahead.

Sustainable Development

5. **Mr McHugh** asked the Minister for Regional Development what steps he is taking to promote sustainable development within the remit of his Department.
(AQO 277/08)

Mr Murphy: The Department for Regional Development is fully involved in taking forward key elements of the sustainable development strategy, as set out in the implementation plan that was produced in December 2006. A senior official has been appointed as sustainable development champion.

The main areas in which sustainable development is being promoted are: capital investment in the water and sewerage infrastructure to improve standards and reduce water leakage; capital and revenue investment in public transport and other forms of sustainable transport — in the context of the regional transportation strategy; and compliance with sustainable procurement practice.

In addition, my Department is implementing an in-house sustainable action plan, covering waste, water, energy, estates, travel and procurement. I have recently met with the Sustainable Development Commission and I look forward to a further proactive engagement with its members.

Mr McHugh: I thank the Minister for his answer. In order for future sustainable development or successful regional development to be effective, does the Minister agree that there is a need for effective transport infrastructure, such as roads, particularly west of the Bann?

Railway travel, or, indeed, public transport, is not an option for people travelling to Belfast to work, or to other places outside Fermanagh and South Tyrone. Will the Minister give a commitment to the improvement, or the considerable upgrading, of the present roads

infrastructure west of the Bann, and, in particular, in Fermanagh and South Tyrone, because that would have an impact on tourism, business and people's journeys to work? Go raibh maith agat.

Mr Murphy: There are many people who argue in support of sustainable development who think that too much investment is skewed towards roads, and that more of it should be directed towards public transport. Investment in roads can, of course, help to improve public transport, because buses can use those routes. Therefore, where possible — and the Department is committed to examining sustainable development options — we will make that investment to try to support public transport.

There are plans for roads infrastructure improvements in the west, including a dual carriageway from Ballygawley onwards. I appreciate that — as in South Armagh, the area that I represent — people sometimes feel that the roads in Fermanagh are very much substandard. However, it is important to get the balance right among investment in sustainable development, public transport and roads, which obviously encourages car users. That is the task that the Department is trying to address.

Mr B McCrea: How does the Minister feel that his Department is performing with regard to sustainable development targets and actions? Furthermore, how does he feel that his Department is performing in comparison with other Departments?

Mr Murphy: I do not have information on comparisons with the other Departments. My Department has been working with the Department of the Environment to establish up-to-date information on transport emissions. As for reduction, we are investing heavily in public transport in line with the regional transportation strategy. Progress and the need for change will be assessed in the review of the regional transportation strategy, which is beginning.

Mr Burns: Has the Department appointed a sustainable development champion? How many times have the departmental champions met?

Mr Murphy: My answer to the first question is yes; my answer to the second is that I do not know, but I will provide the information that the Member requires.

Millennium Way, Lurgan

6. **Mr Moutray** asked the Minister for Regional Development what plans he has for the completion of Millennium Way in Lurgan.
(AQO 249/08)

Mr Murphy: The road known as Millenium Way, which extends from Edward Street to Malcolm Road, Lurgan, was completed in December 2002 as part of

the Lurgan town centre comprehensive development scheme.

I assume that the Member refers to a further proposal by my Department's Roads Service to construct an additional road, linking Malcolm Road and Gilford Road. The link road is included as a proposal in the 'Sub-Regional Transport Plan 2015'. Planning approval for that link road was obtained in 2006, and work is ongoing in preparation for the vesting of the land required for its construction. Like other measures proposed in 'Sub-Regional Transport Plan 2015', implementation of the scheme will be subject to the satisfactory completion of an economic appraisal, successful progression through the statutory procedures and availability of funding through the normal budgetary processes. Therefore, I cannot be more definitive about a commencement date at this time.

Mr Moutray: I thank the Minister for his response. The Millennium Way development road was first mooted 30 years ago. Completion is vital to ease traffic congestion and to advance the economic regeneration of Lurgan town centre. Will the Minister undertake to act as speedily as possible in that respect? I am glad that he recognises that there are traffic problems both in north and south Lurgan.

Mr Murphy: I am due to meet the Lurgan Forward group, which will press the case for that road. I am not sure whether MLAs will be involved in that meeting. I have no problem in ensuring speedy progression of the plan through the statutory processes. Inevitably, it will depend upon budgetary constraints. A case for it must be made through the Budget.

The Department is aware that there is traffic congestion not just on William Street at the railway crossing, but in the other streets. I will be happy to meet the group and to listen to its case. I will do my best to advance the project as quickly as possible in my Department.

All-Island Transport Collaboration

7. **Mr W Clarke** asked the Minister for Regional Development what discussions he has had with his counterpart in the Republic of Ireland, the Minister for Transport, in developing areas of collaboration and co-operation on an all-island basis.

(AQO 274/08)

Mr Murphy: Members will be aware that I made a statement on 25 September to the Assembly, reporting on a discussion that I had with Mr Noel Dempsey TD, the Minister for Transport and the Marine, as part of the third meeting of the North/South Ministerial Council in the transport sector. At that meeting, Arlene Foster and I represented the Executive. We discussed opportunities for co-operation on strategic transport planning and road safety. We also noted and welcomed

progress that had been made since the last transport sectoral meeting in April 2002.

Mr W Clarke: I thank the Minister for that answer. Will he consider improving road signage on a North/South basis? Can he assure me that that issue will be an agenda item at the next North/South Ministerial Council meeting in the transport sector?

Mr Murphy: A question was asked recently in the House about the use of kilometres, rather than miles, on road signs. Road signage — whether in relation to traffic speed or traffic direction — will be reviewed at meetings of the North/South Ministerial Council. If the Member considers that some specific aspect of directional signage is lacking across the island, he should bring it to my attention. I look forward to hearing from him. I have no objection to that item going onto the agenda of a future transport sectoral meeting.

Mr Attwood: Given that many North/South journeys end at Connolly station in Dublin, I ask the Minister what progress has been made in securing a dedicated rail line into that station, in order to service North/South traffic. Furthermore, given that many journeys to the South begin in Newry, what progress has been made in upgrading that railway station?

I am mindful that in recent weeks there have been developments in road funding in the North and that the Assembly has universally welcomed them. What initiatives might be anticipated in the next six months, in respect of road development on a North/South basis?

Mr Murphy: To answer the questions in reverse order, the Department for Regional Development made an announcement about the development of the A5. The Member will be aware that the contract for the last remaining link on the A1 Dublin to Belfast road will be signed in the near future and that the scheme is due to be completed by 2009.

I am pleased to note that work on Newry railway station will commence early in 2008. That is also due for completion by 2009. The recent North/South Ministerial Council sectoral meeting on transport noted that there are ongoing discussions between Iarnród Éireann and Translink on the preparation of plans for the further development of the Dublin to Belfast railway link. The North/South Ministerial Council agreed to consider the outcome of those discussions at the next transport sectoral meeting. Short- and medium-term solutions will be considered, including limited-stop services, hourly frequency, removal of speed restrictions, and new rolling stock. The timing of implementation will also be considered and phased, taking account of the availability of resources and any operational issues.

The Member's question specifically concerns congestion problems on the north side of Connolly station. However, that is primarily a matter for Iarnród

Éireann to resolve. The Minister for Transport and the Marine in the South is keen to examine that issue closely and to make progress on it.

Other work can be done on the Belfast to Dublin line to improve the frequency of and the time taken for journeys. The Department for Regional Development, Iarnród Éireann and Translink will consider those issues.

Battletown Gallery, Newtownards

8. **Mr Shannon** asked the Minister for Regional Development if he will explain the criteria applied in relation to the decision to refuse 'white-on-brown' tourist signage for the Battletown Gallery, Bowtown Road, Newtownards. (AQO 303/08)

Mr Murphy: The Department for Regional Development's Roads Service facilitates the provision of tourist-traffic signs through its policy document 'The Guide to Tourist Signing in Northern Ireland', which was published in April 2004 and was jointly developed and agreed with the Northern Ireland Tourist Board.

Under that policy, Roads Service agrees to and implements local tourist-signing plans. The plans are drawn up by local councils in conjunction with the Tourist Board, and they represent an inventory of tourist attractions, facilities and utilities for the local council area.

Roads Service also provides traffic signage for other tourist destinations that are designated as eligible by the Tourist Board. The policy provides a framework for establishing eligibility for such signing. The white-on-brown road signs constitute one part of the overall family of direction signs. The main purpose of tourist signs is to guide visitors, in the later stages of their journey, to their desired destinations via the most appropriate route, particularly when some sites are hard to find.

As with all other direction signs, tourist signs are an aid to safe and efficient navigation. They are designed to complement, not replace, pre-planning of the journey, verbal instructions, maps, and road atlases.

Under the terms of the agreed policy, a place or service that would be of use to tourists but does not in itself constitute an attraction is deemed to be a tourist utility, and, as such, should not be individually signed. That includes antiques' shops, art galleries, restaurants, and garden centres. Although the Battletown Gallery offers art workshops, Roads Service considers it to be predominantly commercial in nature. It is, therefore, classified as a tourist utility and is not considered eligible for individual signage.

It is Roads Service's view that the gallery's literature provides clear directions to the premises and that it should be found easily without tourism signage.

Mr Shannon: Does the Minister accept that the Battletown Gallery is not only a gallery but a first-rate craft industry? White-on-brown tourist signage has been provided for a craft industry that is within three miles of the gallery. Can the Minister explain why Battletown Gallery, though similarly involved in the local craft industry and a tourist attraction that brings people from all over the world, is not treated in the same fashion as other places that are not too far away from it?

Mr Murphy: I am loath to name the business in case it is not the one that the Member means, but I am informed that when Roads Service was not familiar with the interpretation of the policy, it inadvertently permitted a sign in the locality.

The policy in question was introduced in May 2004. Some signs for properties and tourism attractions and facilities were put up prior to that. Those signs will stay in place until they are due for replacement, when they will fall under the current policy.

Belfast to Dublin Rail Link

9. **Mr Simpson** asked the Minister for Regional Development if he will make a statement on the number of passengers using the Belfast to Dublin rail link in the last three years. (AQO 250/08)

14. **Mr Storey** asked the Minister for Regional Development if he will make a statement on the work carried out by his department to enhance the Belfast to Dublin rail link. (AQO 247/08)

Mr Murphy: I had intended to take questions 9 and 14 together, but I fear that I will run out of time.

The railway line between Belfast and Dublin is a key part of our transport infrastructure, and it has important economic benefits for the whole island of Ireland.

A major scheme to upgrade the Belfast to Dublin line between Belfast and the border was completed 10 years ago.

Mr Deputy Speaker: Time is up. Perhaps the Minister will provide the Members with a written answer.

3.30 pm

Social Development

Housing Applications

1. **Mr Kennedy** asked the Minister for Social Development to detail the number of applications for housing units submitted by members of the Northern Ireland Federation of Housing Associations in each of the past 10 years. (AQO 262/08)

The Minister for Social Development (Ms Ritchie): Since 1 April 2003, registered housing associations have made 506 submissions for approval on a total of 6,978 units. In the same period, 506 schemes for a total of 6,734 units have been approved by the Department. Figures for previous years have not been retained. Prior to 31 March 2003, such information was held on paper records. Records were retained for the current year and the three previous years. In 2003, a computer database was established that allows such information to be extracted.

Mr Kennedy: Will the Minister indicate whether her Department has the necessary finances to fund the many schemes that are required to help deal with the increased need for social housing in Northern Ireland and, in particular, in my constituency of Newry and Armagh?

Ms Ritchie: As I have said in the House on several occasions, and in the Committee for Social Development, I inherited a woefully inadequate budget with which to provide social housing. There are 36,000 people on the waiting list for social housing. That figure has increased by 13% since 2006 and rises every year. There are 21,000 homeless people — a figure that has also increased since last year and which continues to rise. Record high house prices are 10 times the average income. Those facts and statistics encapsulate the crisis in the availability of social and affordable housing, which, clearly, precipitates the need for an adequate budget to be provided.

I have made a significant bid to the Finance Minister. I hope that I can gain the support and endorsement of my ministerial colleagues in the Executive in order to ensure that social housing is given number-one priority.

Mrs M Bradley: Does the Minister agree that inadequate finances are available for social housing?

Ms Ritchie: As I said, I agree that I have inherited a woefully inadequate budget for social housing. The social housing programme has inadequate resources. I have bid for significant resources for 2007, and for future years, in accordance with the comprehensive spending review. I await the outcome of that. I will be meeting the Finance Minister this afternoon to continue to campaign for sufficient funds. I have written to ministerial colleagues about land issues, and to district councils throughout Northern Ireland. The issue is also being investigated by a Minister-led team. I will make strenuous and vigorous efforts to gain the support of my Executive colleagues for a significant funding bid.

Mr Storey: Many people turn to the co-ownership scheme because of the lack of affordable social housing from newbuilds, housing associations and Housing Executive stock. What plans are there to improve the scheme and the resources that it is allocated?

Ms Ritchie: The co-ownership scheme is being examined by the Minister-led team, which is dealing

with affordability issues arising from the Simple Review. It will also seek advice from an expert panel on housing and any other available information. If the Member, or any other public representative or Assembly Member, has any relevant information on the matter, I suggest that he convey it to the Minister-led team and the expert panel. Any information or advice from Members will be gratefully received.

Housing Needs: People with Disabilities

2. **Mr Dallat** asked the Minister for Social Development to detail her plans for ensuring that people with disabilities have their housing needs met without delay, and are not offered hostel accommodation as the only option. (AQO 223/08)

Ms Ritchie: In order to resolve the housing needs of a homeless — or potentially homeless — applicant with a disability, all options must be, and will be, fully investigated. Those include: identifying suitable social housing in the applicant's area of choice; the nomination for an allocation on a newbuild scheme, if no suitable existing accommodation is available in their area of choice; or, in exceptional circumstances, purchasing suitable accommodation in the private sector. Hostel accommodation will be the option of last resort. I want to focus on that particular area because that type of accommodation is not suitable for people with multiple disabilities.

Mr Dallat: I could not agree more with the Minister. Does she know what the current position is regarding Mrs Elaine Kennedy, and the proposal to purchase suitable accommodation for her?

Ms Ritchie: I am very conscious of the personal, particular circumstances in which Mrs Kennedy, a lady who suffers from multiple disabilities, finds herself. I am anxious to do whatever I reasonably can to assist her. My Department received a request from the Northern Ireland Housing Executive, asking whether it would be prepared to approve the purchase of a property in Coleraine for Mrs Kennedy.

My Department is in receipt of two reports from an occupational therapist and, currently, the second report is being assessed. I hope that a decision can be taken on the way forward, by early October 2007. I will ensure that that will happen because I am aware that Mrs Kennedy has multiple disabilities and is wheelchair-bound. In any event, I am happy to discuss the details of the case with Mr Dallat, and I will inform him of the decision on the case as early as possible.

Mr K Robinson: With one third of homeless households being families with children — and 50% of those having preschool children — will the Minister state that she does not regard hostel accommodation as suitable for families with young children?

Ms Ritchie: I said in my initial answer that I am currently focusing on the issue of hostel accommodation because I firmly believe — based on my experience as a constituency representative, and after wider debate with many people — that hostel accommodation is the option of last resort. Hostel accommodation is unsuitable for people with young families, and for people with multiple disabilities.

I want to examine that issue and to focus on it, and I want the Housing Executive to concentrate on it. It is most important that I be given adequate resources to provide and increase the supply of social housing that would obviate the need for the use of hostel accommodation.

Mr T Clarke: I am sure that the Minister is aware of the continuing difficulties in obtaining reports from occupational therapists for many people who require adaptations to their properties. Has the Minister made any representations to her colleagues to address the issue of reducing the time that it takes to undertake an assessment?

Ms Ritchie: I have already spoken and written to my ministerial colleague the Minister of Health, Social Services and Public Safety on that issue. I am sure that there is not a Member in the House who has not encountered difficulties with the delay in the processing of such applications by the occupational therapy service. That service is short-staffed. Notwithstanding that, there is a need for the matter to be progressed as quickly as possible. As a result of Mr Clarke's question, I will raise the matter again with the Minister of Health, Social Services and Public Safety.

Empty Homes Strategy

3. **Mr P J Bradley** asked the Minister for Social Development if she will give an update on an empty homes strategy, aimed at bringing more void homes into use. (AQO 254/08)

Ms Ritchie: I appreciate that there is a widely held perception that there are around 40,000 empty homes in Northern Ireland that can readily be brought back into use. Following my appointment as Minister for Social Development, and a debate in the House at the end of May, I immediately asked the Housing Executive to draw up and cost an empty-home strategy. I have received the interim report from the Housing Executive. The report concludes that approximately 3,300 vacant Housing Executive units can be brought back into use in two years at a cost of around £19 million.

Approximately 5,000 private-sector dwellings and 1,500 housing association properties are potentially available, but further assessment is required to establish the nature of those vacancies. I have asked the Housing Executive to undertake further research on the matter,

and I hope to receive a copy of its more detailed report in the near future. However, the Housing Executive will have to undertake considerable additional work before it can provide me with its full report and associated costs. I will pursue the matter vigorously over the coming weeks, because I recognise the need to increase the housing supply to cater for those who have been on the waiting list for a considerable period and to address the needs of the homeless throughout Northern Ireland.

Mr P J Bradley: I thank the Minister for her answer. She dealt with the Housing Executive houses, but how many vacant properties could be brought back into use altogether? How much would that cost, and — probably the most important question for many people — what is the expected timescale?

Ms Ritchie: It will take a little time. It is important to stress that only a minority of houses that are currently vacant can be brought back into use, because many of them are inaccessible and are situated quite some distances from services. Most vacant properties are in the private sector, although, unfortunately, 19,100 of those can be discounted for a variety of reasons — for example, those that are being modernised and are simply part of the natural chain found in any healthy housing market. Of the 16,300 houses that could potentially be brought back into use, 700 are unfit dwellings in isolated rural areas, and a further 10,700 have been vacant for six months or less, leaving approximately 5,000 private-sector dwellings available for action.

As I said earlier, further work needs to be done to determine whether those properties can be brought back into use, and I will pursue the matter with the Housing Executive vigorously to ensure an early receipt of its fuller report. Not only do I need the support of my Executive colleagues to secure a much better budget, I want to try to ensure that more properties can be made available through the empty-homes strategy so that I can increase the supply of much-needed social-housing stock.

Mr Campbell: The Minister will be aware that during what was described as a loyalist feud on the Shankill Road a few years ago — in a deprived loyalist community in Belfast — scores of properties were vacated. What steps is she taking to ensure that the financial support that she has committed to similar areas across Northern Ireland will continue after her deadline regarding the conflict transformation initiative expires next week?

Ms Ritchie: I have visited all areas in north and west Belfast, including all the vacant properties along the interface lines, particularly in the Shankill area and in north Belfast. I am well aware that many of those houses are not terribly old and could be brought back into

use. They are currently subject to investigation by the Housing Executive as part of the empty-homes strategy.

I want to make my position very clear — I want all deprived or marginalised communities to have their needs tackled adequately, regardless of whether those communities are in loyalist Protestant areas or Catholic nationalist areas. That will continue to be my position. My Department's focus is on tackling disadvantage and deprivation and on building communities. They remain, and will continue to remain, the key issues for me and my officials.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. Has the Minister carried out any research or worked with local Housing Executive offices in various areas to check whether the homes that have been allocated to people are genuinely being used by those people? Is there a strategy in place to verify that and to ensure that there is no abuse of the system, such as houses being re-let by people who are supposed to be occupying them so that others can use a particular postcode when applying for admission to schools, and so on? I believe that that is happening in certain areas.

Has the Minister consulted with local Housing Executive offices and other involved parties to ensure that those practices do not continue?

3.45 pm

Ms Ritchie: Mr McHugh is referring to houses commonly known as “giro drops”. I have raised that issue with my officials and with the ministerial-led committee. More importantly, I have raised it with the Housing Executive in the past and have asked it to insist on, and carry out, a monitoring exercise to ensure that the person to whom the house has been allocated is the person paying the rent and is the resident of the house. On foot of Mr McHugh's question, I will approach the Housing Executive again to ensure that that is still the case. We must have a good standard of housing stock. Public housing is allocated under the common selection scheme; that is the basis on which all this work is done, and it must be adhered to.

Housing Associations: Procurement

4. **Mr McCallister** asked the Minister for Social Development whether she will confirm that changes to the procurement policy for housing associations will not adversely affect their delivery of specialist housing. (AQO 241/08)

7. **Mrs Long** asked the Minister for Social Development what progress has been made in respect of her Department's procurement strategy on new developments by groups of housing associations. (AQO 263/08)

Ms Ritchie: Mr Deputy Speaker, with your permission, I shall answer questions 4 and 7 together.

There is no reason for the delivery of social-housing programmes to be disrupted by the change to new procurement arrangements. The projects that are already on site when the change takes place will continue under the old arrangements. No decisions have been taken about the number of procurement groups or the nature of such groups. They could be formed under a lead association, as a group of associations that pool development staff, or they could involve the setting-up of a separate procurement entity. Where development staff from associations who are members of the group move to the new group, they will take their scheme files with them to ensure continuity. There may be a very few schemes in which no dedicated development staff have been involved. In those cases, co-ordination will be necessary between the originating association and the procurement group.

The consultation period for responses to the procurement proposals was extended to 31 August. The responses have been analysed, and my Department is currently considering the final shape of the procurement strategy. Members of the Committee for Social Development have already been consulted and have responded directly to me.

This issue is important for the Executive and for every Member of the House. I hope that all Members will agree with me that there is an urgent need to increase the supply of affordable social housing throughout Northern Ireland, particularly in those areas in which need has been identified.

Mr McCallister: Will the Minister give an assurance that her Department is totally committed to ensuring appropriate housing for people with disabilities?

Ms Ritchie: I assure Mr McCallister that my Department and I are totally committed to ensuring that there is an adequate supply of housing throughout Northern Ireland to accommodate the needs of people with special needs; those with disabilities, or, indeed, multiple disabilities; those who live in inaccessible locations; those with young families; or those who belong to one-parent families. I want to be able to ensure that all the needs of the people of Northern Ireland are adequately met.

Mrs Long: The Minister expects housing associations to form new procurement groups by 1 April 2008. However, the Department has yet to produce much in the way of guidance for housing associations on the subject.

Given the tight time frame, and the experience in Scotland and Wales, where the creation of procurement groups cost a significant amount of time and money, is the Minister confident that she can make the assessment that the benefits of that step will outweigh the costs?

Ms Ritchie: It may be helpful if I provide Mrs Long with some background information. The document that initiated the consultation was issued to 42 groups, and 27 responses were received. Generally, there was broad

support for the proposal to create procurement groups. It was felt that having a small number of groups was better for developing client expertise and economies of scale. However, it was also felt that having fewer than three groups might pose a risk in the unlikely event that one were to fail or perform poorly. The selection of three groups rather than six has the advantage of not permitting the largest associations to overwhelm the smaller associations. Three groups would encourage the larger associations to spread their expertise.

The Member also asked when the procurement strategy will be published. I will have it published as soon as is practicably possible, and I want to be able to ensure that that is the case. According to the joint National Audit Office and Audit Commission report of 20 December 2005, the housing corporation procurement strategy, through the use of procurement groups and associated changes, made an efficiency saving of 9% between 2003-04 and 2004-05. The aim of such efficiency exercises is to enable more to be done for the same level of expenditure. It is not the intention that the same level of activity should be maintained for less cost. As the procurement strategy rolls out, I will return to the Committee with further details.

Mr Craig: I listened with interest to the Minister's answer to question 4. Housing schemes are all planned and priced several months in advance. Inevitably, the new procurement groups, and the changes that they will bring, will lead to a crossover.

Mr Deputy Speaker: Does the Member have a question?

Mr Craig: I am coming to it, Mr Deputy Speaker. Will the Minister give an assurance that the new procurement groups will not try to impose new procurement policies on existing projects that are about to proceed?

Ms Ritchie: I take Mr Craig's comments on board. I hope that good-practice guidelines will be in operation. I will get back to the Member on the detail of the issue.

Mr Elliott: Does the Minister accept that, in the past, the Housing Executive has often acted extremely slowly when assisting to access land for housing associations? Does she have any plans to speed up that process in order to help the associations and local people who are waiting for housing?

Ms Ritchie: I am conscious of that issue. The matter is currently being considered by the implementation group, which I lead, into the Semple Review. It is Government policy that all surplus land be circulated in the public sector. Moreover, the clearing-house arrangements give my Department access to other Departments' surplus land. All public-sector needs must be taken into account, and the Valuation and Lands Agency must decide priority. I am conscious of the issues that the Member has raised, but what is important is that the supply of social housing throughout Northern

Ireland increases. The Member will no doubt agree with doing that in his constituency of Fermanagh and South Tyrone, where I recently met members of Dungannon and South Tyrone Borough Council on the matter.

Housing Associations: Opportunity to Purchase Surplus Land

5. **Mr Lunn** asked the Minister for Social Development what consideration she will give to offering Housing Associations the opportunity to purchase surplus land owned by her Department for the provision of social housing, prior to it being offered for sale on the open market. (AQO 293/08)

Ms Ritchie: The Department for Social Development, like all Northern Ireland Departments, is obliged to follow the disposal policy that is incorporated in a document called 'Disposal of Surplus Public Sector Property in Northern Ireland'. The guidance requires Departments to offer any land that has been designated as surplus through a clearing-house process that the Valuation and Lands Agency has administered. The clearing house circulates all Departments to determine whether there is another public use for the land or property. Where there is a social-housing need, the Housing Executive makes representations on behalf of the housing associations. As Members know, it does that in its role as the strategic housing authority for Northern Ireland.

Mr Lunn: I thank the Minister for her answer. In view of the length of time that has been spent discussing housing associations, I will not pursue my supplementary question.

Mr B McCrea: In the absence of measures similar to those proposed by Mr Lunn, is the Minister confident that her Department can meet Northern Ireland's need for social housing? If not, and given her recent announcement of some £77 million for housing in Lagan Valley, will she make representations to find additional funds to purchase land, now that the market has turned?

Ms Ritchie: Some weeks ago, I was happy to launch the housing and regeneration strategy in Lisburn, and Members from the Lagan Valley constituency were present that day. I hope that other district offices will be able to implement similar proposals to integrate housing and regeneration. The aim is to uplift communities, whether they are disadvantaged or not.

With regard to the particular issue that the Member raises, I have made significant representations to the Minister of Finance and Personnel. In fact, the specific objective of my meeting with him later this afternoon is to address the need for capital funding for housing. I will also meet the Strategic Investment Board later today to discuss that same issue. I hope to have the support and endorsement of all my ministerial colleagues.

Several weeks ago, the ‘Belfast Telegraph’ published a Market and Opinion Research International (MORI) poll that showed that health and social housing are the two highest priorities of people right across Northern Ireland. Therefore, the need for social housing must be addressed. There are 36,000 people in housing stress on waiting lists, and 21,000 people are homeless. Their needs must be catered for, and I hope that I have the support of my ministerial colleagues in doing so. Under the comprehensive spending review, I have made substantial bids for the current financial year and for the following three years. Members can rest assured that I am doing all that I can. I think that I have the support of the House that I need.

Mrs D Kelly: I congratulate the Minister on her efforts to date. In response to an earlier question, the Minister referred to land that is owned by public authorities and other public-sector agencies. Will she elaborate on her progress and the responses that she has received?

Ms Ritchie: There is no doubt that it is vital to address the requirement for social housing in Northern Ireland. Therefore, I have written to all my ministerial colleagues, to district councils and to the Housing Executive to ask them to specify any available surplus land. I have received some responses and await others. With the assistance of the First Minister and the deputy First Minister, I am pursuing the subject of military sites. If those sites were made available free of charge — and I hope that that could be the case, as per the Joint Declaration on Peace by the British and Irish Governments on 1 May 2003 — more land could be made available, not only for social housing but also for mixed economy and educational use. I will return to the House on that matter. Suffice it to say that I am pursuing the issue of additional land with district councils, Departments, and agencies. Via OFMDFM, I am in contact with the Ministry of Defence and the Prime Minister’s office about military sites, of which there are several in Northern Ireland.

Job Losses: Social Security Agency

6. **Mr D Bradley** asked the Minister for Social Development to outline what she is doing to ensure that a reported 1,500 job losses within the Social Security Agency are averted. (AQO 261/08)

Ms Ritchie: I am continuing to put forward a strong, vigorous case in an attempt to secure the maximum amount of funding possible to avert any job losses as part of the comprehensive spending review. I look forward to the support of my ministerial colleagues to endorse the delivery of front-line services in social security offices, particularly the processing and payment of benefits, particularly to those who reside in disadvantaged, deprived and marginalised communities.

I understand the need for efficiencies in the SSA, but I am not prepared to take measures that would result in the diminution of services to needy people —

The Deputy Speaker: Order. The Minister will write to the Member with her answer. The time for questions is up.

PRIVATE MEMBERS' BUSINESS

Strategic Planning Policy

4.00 pm

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

Mr Beggs: I beg to move

That this Assembly calls upon the Minister for Regional Development to remove gardens from the definition of brownfield/ previously developed sites in the review of the Regional Development Strategy and Planning Policy Statement 12: Housing in Settlements; and to address the failure of strategic planning policy to protect the unique character of towns, villages and urban landscapes throughout Northern Ireland.

I thank the Business Committee for selecting the motion for debate, because I know that this issue is of great concern to many in our towns, cities and villages. I wish to declare an interest as a local councillor; as such, I am involved as a consultee in the statutory planning process. Sadly, I must work within the current guidance.

In 2001, Assembly Members unanimously agreed to the adoption of the Northern Ireland regional development strategy. One of the more eye-catching targets at that weighty time was that 60% of new houses should be built on previously developed sites, also known as brownfield sites. That was universally welcomed, and the impulse behind the target was commendable: to avoid reliance on building on greenfield sites; and to limit urban sprawl and the encroachment into agricultural land. It was a noble planning aim.

The perception of a brownfield site that was conjured up in my mind, at that time, was of a disused industrial site, an urban wasteland, or any inner city vacant houses or areas of dereliction. However, the regional development strategy was not specific when defining what constitutes a brownfield site. Brownfield sites are defined in the glossary of the regional development strategy as:

“previously developed lands sometimes known as ‘recycled sites’. For operational purposes further definition of potential housing sites inside urban areas will be provided in the Regional Planning Policy Statement on Housing in Settlements.”

Planning Policy Statement 12 (PPS 12) was duly delivered several years later in July 2005. Strangely, draft Planning Policy Statement 12 had a detailed definition in its glossary which indicated something different in what is actually being delivered. It stated:

“These are normally sites which have previously been developed or used for some purposes which has ceased. They may encompass re-use of existing buildings by conversion; demolition and new build; clearance of vacant or derelict land and new build; infill and various other forms of intensification. It excludes private and public

gardens, sports and recreation grounds, woodlands and amenity open spaces.”

Note that private and public gardens were specifically excluded from being described as brownfield sites in the original draft Planning Policy Statement 12. I contend that its subsequent removal has heightened the current problem. From my reading of Planning Policy Statement 12, brownfield development is classified as any development within the urban footprint of our cities, towns and villages, within their development limits. Gardens and virtually everything else within the urban footprint is included, therefore, when calculating the 60% brownfield target. The link between that oversight and the demolition and replacement of single houses and their gardens with multiple dwellings and apartments is blatantly obvious.

The drive to build — intensively — on previously developed sites, as encouraged by the 60% regional development strategy brownfield target, as newly defined, is the problem. That has led to the overdevelopment commonly known as “garden grabbing”, and it is not what was originally intended.

It causes untold sleepless nights for neighbours, as their tranquil — often rear — gardens are suddenly overlooked by the countless windows of a development next door.

Is that a problem? Many people, including many of my constituents, feel that it is. Moreover, Sir John Semple, in the Review into Affordable Housing, thinks that it is a problem. On page 17 of the final report he states that:

“Many organisation representing communities, housing and planning professionals expressed concerns to me about the demolition of single family dwellings to make way for apartment blocks. Further guidance would be helpful to counter cases of ‘garden grabbing’, ‘town cramming’ and limit what has been referred to as the ‘greying’ of our towns.”

Flash flooding is becoming more commonplace; environmental change is a factor, but there is no doubt that the change in our town centres, and the urban footprints, contributes as well. In urban areas, rain is no longer absorbed by natural drainage in gardens; instead, it frequently lands on roofs and pathways, before immediately entering culverts and streams. That results in additional pressure downstream and, often, flooding. In the case of mixed sewerage systems, there is the additional problem of sewage flowing downstream into homes. Sadly, there have been too many instances of that in recent years.

I am sure that Members who are local councillors are aware of the public concern that exists on the issue. However, as public representatives, they have little input, due to the current policy planning statement by which planners operate. Consequently, houses are often demolished and replaced by apartments. As a local councillor, I recently received a petition from

residents of the Old Belfast Road in Larne, following the advertisement of a development opportunity to demolish newly-built houses and replace them with sea-view apartments overlooking Belfast Lough. Destroying newly-built homes to create apartments is not environmentally friendly and is not what PPS 12 intended.

Undoubtedly, many Members will have been lobbied by residents who face their neighbourhoods' being threatened by intensive, and often unsympathetic, development. The Planning Service and the Planning Appeals Commission have the power to refuse planning permission and stop inappropriate developments if the correct planning policy statements are in place. That is why I have tabled the motion — PPS 12 must be adjusted to exclude gardens from brownfield development percentages. The inclusion of gardens almost enables a presumption in favour of development.

Few would argue with the point made by a Rt Hon Member who, during a debate on the regional development strategy on 2 July 2001, said:

"I am appalled by the number of applications for high-density apartment developments, almost invariably to be built in existing residential areas where one or two houses will be knocked down with perhaps 10 or 20 being built in their place." — [*Official Report, Bound Volume 11, p339, col 2*]

I empathise, and I agree with those wise words of the current Minister of Finance and Personnel.

As recently as last week, I learned of another plan to build, in my constituency, six apartments, six semis, five town houses, and one detached house on the site of a detached house and parts of two adjoining gardens. In another part of my constituency there is a trend for detached homes to be bought by developers, then demolished and replaced by apartments. For example, there have been several applications for such developments on North Road in Carrickfergus, and some developments have already been built. Those change the character of the neighbourhood.

There is nothing illegal about any of that, but what effect does it have on the architectural heritage and the quality of life enjoyed by residents in those areas? I am not apartment-bashing — everyone appreciates the demand for apartments, but they must be carefully located. I have supported the Living Over the Shop (LOTS) scheme, which has been successful in the regeneration of urban areas.

The Assembly, as a legislator, can make a difference, and it is important that we correct this wrong. It is important that developers do not have that presumption in favour of them as they try to remove gardens and disturb neighbourhoods. I ask the Minister to review the situation, and I urge the appropriate Committees to make the necessary changes.

Mr Wells: When the Assembly debated the regional development strategy, all Members applauded the

policy that 60% of development should be on brownfield sites. I — as were many Members who are present — was a Member at that time, and when we envisaged brownfield sites, we thought of old derelict, industrial warehouses, factories, and old, terraced housing that would be knocked down and replaced. That was welcomed, and I would still support that. Sadly, however, the majority of apartment developments in Northern Ireland have not been on classic brownfield sites. Instead, old houses have been knocked down, trees have been ripped up and gardens have been destroyed, and the entire plots used for high-density development.

Property development is the single biggest issue in my constituency mailbag: I get letter after letter about it. Even today, I am tackling a problem on the Tollymore Road in Newcastle. People are seeing our old traditional suburbs being wrecked by that type of development. A typical situation pertains in Tullybrannigan in Newcastle, where a developer is going around knocking on doors, brandishing cheques for £1.2 million and asking pensioners whether they would like to sell their houses — which, perhaps, were bought 20 years ago for £40,000. The house, which is an important part of Newcastle's architectural landscape and heritage, is then knocked down and replaced by nothing more than rabbit hutches.

On the Strangford Road in Downpatrick, houses have been knocked down and replaced by 22 apartments, in one case, and 19 and 15 apartments in other instances. If that trend continues, the Strangford Road approach to Downpatrick will be destroyed. I could live with those changes if starter homes for young married couples were replacing those old houses, because there is a need for starter homes in society. However, that is not what is happening.

Apartments do little for the economic regeneration of any town. The late Gerry Douglas was an excellent councillor in Down District Council, and he made a telling comment about apartments in Newcastle. He said that someone who comes to an apartment in Newcastle for the weekend brings with them a £5 note and a shirt, and all that is changed at the end of the weekend is the shirt. There is no doubt that apartments bring little to the town. There are no children coming to live in the apartments or attend the local schools, and those apartments provide little economic development.

We are all politicians and have had the experience of knocking on the doors of apartment developments. I knocked on the doors of a 42-unit apartment development in Dundrum, and found that six householders were on the electoral register. Only six householders regarded that property as their main residence, and the majority of the units were empty. The election was in March, and, at that time, two thirds of the properties were empty. The developments are

like ghost towns, and much of our heritage is being destroyed in order to produce something that brings no economic benefit to our community.

I have campaigned on property development for many years, and I called a public meeting in Newcastle in June to highlight the issue. When I knocked on the door of one house in Newcastle to ask the householder to come to the meeting, she took one look at me and told me that she had voted already. She obviously got the wrong end of the stick, but more than 250 people packed that meeting in Newcastle. Property development was the biggest single issue of concern to those ratepayers. Those who are caught up in such situations find that the house beside them is to be knocked down and replaced by 20 apartments — they cannot live with that, so they are forced to sell, and the owners of the next house are forced to sell. A domino effect sweeps through the entire town and destroys its character.

I understand that there are moves afoot to address that situation. The policy issues fall to the Minister for Regional Development, and the Minister of the Environment is responsible for development control. I appeal to those Ministers to move quickly. If they do not, much of what we find historic and important about our towns will disappear before our eyes.

The new developments are nothing to be proud of. If a developer can fit in one and a half car-parking spaces a unit, and the site is within the development limit of a town, the site is regarded as brownfield, and the law of the jungle applies.

I would like to take the two Ministers to meet a lady who lives in a little cottage on Post Office Lane in Newcastle. Her house faces the former post office site, for which an application has been submitted for 42 apartments in a four-storey development. Her life will be ruined, as will the lives of thousands of others, if those developments are not soon stopped and some form of sense and normality is brought back to development, before we destroy that which makes Northern Ireland's towns and villages so special.

4.15 pm

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt ar son an rúin seo. I welcome the opportunity to speak. The two previous Members clearly highlighted the major problems. Replacing homes and gardens with multiple-occupancy town houses and apartment blocks is an increasingly common practice known as “garden grabbing”. Cramming new housing developments into residential areas is not a suitable way to alleviate housing stress because it significantly erodes the local character and the environmental and social quality of life of the residents and communities affected by it. The practice is getting out of hand, and there is an absence of clear, unambiguous guidance from the Planning Service on the issue.

We should be ensuring that the building of multiple-occupancy properties on what were the sites of single homes is monitored and proactively discouraged. Hopefully, the issue will be addressed as part of the overall review of planning policy.

However, it is quite apparent that until monitoring is implemented, developers will be buying homes with generous gardens and will be applying for planning permission to demolish the buildings and build town houses or flats. Obviously, as there is no need for new roads or services, profit margins are very high. Neighbourhoods are being transformed, and, unfortunately, in quite a few cases not in a positive way. Developers have been known to demolish fit houses and replace them with a large number of smaller dwellings, and often the character of the location is changed dramatically.

Many communities have found that planning applications for multiple-occupancy housing or flats have been parachuted in on them, and the severe housing shortage artificially inflates house prices, which wrenches the first rung of the property ladder from the reach of the majority of young people.

I agree with the previous two Members. To me, brownfield sites are industrial sites or possibly waste or contaminated sites that can be recycled or reused. However, we also know that “garden grabbing” takes place.

Sinn Féin broadly supports the motion, and feels that it should be defined clearly in any future planning policy that building in limited spaces and in built-up areas, including gardens, is not to be encouraged. Go raibh maith agat.

Mr Dallat: I support the motion, because I have knowledge and experience of the harm being done, particularly in the coastal areas of east Derry — Portstewart, Portrush and, of course, Portballintrae.

Gardens have become liquid gold. No longer are they adornments or places of leisure and recreation. They are now valuable pieces of real estate and serve one purpose — to be flogged for inflated prices to land speculators, who will plant them not with flowers and shrubs but with apartments, flats and townhouses. Environmentally-friendly open spaces — open in the sense that people can enjoy them without trespassing — are being turned into concrete jungles with no grass, and no class.

The concept of utilising brownfield land has been turned upside down — with devastating consequences. That is particularly true in the seaside towns. However, towns and villages have also been at the receiving end of the bulldozer and the chainsaw, because it is not just the grass that is lost. Mature trees have been cut down in their tens of thousands, and we must be aware of the damage that that is doing to the air that we breathe.

It is unfortunate that the planners did not foresee that problem, because they are, to a large extent, the cause of the land shortage that has sent the price of development land through the roof — and many roofs no longer exist.

The motion, which was moved by Mr Beggs, identifies rightly the loss of character of our towns and villages, but the problem is more serious than that. Town cramming, as it has become known, has had a much more detrimental effect on the overall environment. In many cases, the sewerage systems cannot cope with the additional pressure placed upon them. Parking becomes a crisis, and there are many additional issues relating to road safety.

Far be it for me to look to England for inspiration, but on this occasion, and as an exception, we could promote the little song 'English Country Garden', and demand that all planners learn it by heart. Those who are taking away the gardens should write that out on their application forms.

Mr Deputy Speaker: I am glad that the Member did not take up the offer about singing.

Mrs Long: Like Members who have already spoken in the debate, most of us would recognise brownfield sites as meaning ex-industrial and ex-commercial sites. In redevelopment areas, that would also include the demolition of existing housing.

I am concerned that brownfield development has been extended to include a lot of other development — particularly gardens. I support the motion as one way of trying to redress that balance. However, it comes with something of a health warning. While it would be helpful to have recognition at departmental level that gardens should be removed from the definition of "brownfield land", as it would show that gardens are not brownfield sites and that they are of a different nature and character, it would not necessarily preclude other people from bringing forward speculative proposals that would relate either wholly or in part to garden sites. The Assembly must be aware that that is a development control issue and, therefore, more a matter for the Minister of the Environment. I am pleased to see both the Minister for Regional Development and the Minister of the Environment in the Chamber; it shows willingness on their part to take action.

"Garden grabbing" and the associated development of sites involving the demolition of existing residential properties have significant consequences for established residential neighbourhoods. As regards infrastructure, we have already referred to the pressure put on the drainage system. Undoubtedly the increase in roofed, paved and impervious areas — which were previously gardens and from where water could soak away over time — has led to speedier run-off and increased the risk of local flash flooding.

Mr S Wilson: I thank the Member for giving way — as she always does. Will she accept that it was the previous Assembly, and all of the parties in it, that agreed to have more houses built on the existing urban footprint to do the very thing that she has referred to — to make better use of the existing infrastructure?

Mrs Long: No one is questioning that, and I thank the Member for his intervention. However, the question is where the houses will be built. Many areas in east Belfast have not been redeveloped, but in other areas houses are under incredible pressure and gardens are being gobbled up by greedy developers. There must be a balance.

As regards the character and local heritage of an area, Members have referred to trees being felled, houses being demolished and the loss of open space, which is inherently part of the character of an area where the suburban grain is interrupted with high-density, urban-style development. That is not good for maintaining a balance, and it is not good from an environmental point of view. The transportation links are often not good enough to maintain the higher levels of population in those suburban areas — in contrast with some inner-city areas.

I am concerned that it has also led to an inflation in house prices. Houses are being priced out of the reach of families. It is rare to see a house for sale in east Belfast: instead, development opportunities are for sale. The houses built on those sites will not be affordable accommodation for those who need it, but will be investment opportunities for those who want a second property as a pension. We must be conscious of the impact that that vacancy of property across the area has on local services.

There is the issue of local amenity for the current residents and for those who will buy properties in the area. The restrictions on building outwards means that many new properties are built higher. The result is that someone's main living room may look into the back bedroom of houses on neighbouring sites. Those are mainly development control issues. However, the policy of back-land development makes it much more important to have a rigorous framework in place.

I recognise the need for a number of smaller properties among the larger ones to facilitate the needs of older residents who want to downsize in their own locality and not to have to leave behind the social support network that they have built up over the years. However, that is not the driver for the current development. It is largely speculative development. There are examples of well-designed, well-integrated development, but increasingly the architecture does little to relate to the local character. Instead, generic house styles are simply dropped in on several sites across a constituency area and bear no relation to what

was there previously or to what will remain when building is complete.

It is important to define "brownfield" sites; however, Members must also focus on development control. Without adequate control, that definition will not protect residents from what is increasingly the biggest headache that they face.

Dr W McCrea: This is an important debate — worthy of the Assembly — and Members must address the issues. The previous Assembly debated this matter and took a different view — against the stance of the then DUP Minister for Regional Development. Although the Assembly took a decision in the past, that does not mean that it was the best decision. Therefore, Members must consider the matter in the light of current events.

In my constituency of South Antrim, I am inundated daily by people and communities horrified by what has been proposed for their neighbourhoods. For example, four houses are to be knocked down on the Rashee Road in Ballyclare and replaced by 54 apartments, with no care for adequate parking on a road that has limited traffic access. The developer is simply squeezing as much development as possible onto a restricted site, with no care for the community.

I acknowledge that there are good developers and some excellent developments throughout Northern Ireland; however, there are also some poor developers who want no more than to draw as much finance out of a site as possible. In Ballyclare, Glengormley, Antrim, Burnside, Ballyrobert, Dunadry and Templepatrick, people believe that the developers are concerned only with what they can get out of a community and not with what they can put back in. A developer has not only a right to take out but a duty to put back that which will be acceptable and natural to the character of an area.

Currently, developers pay exorbitant prices to invest in an area — perhaps three times the value of a house. They then feel that it is their right that everyone should buckle to their demands. They force as many apartments as possible onto a piece of ground because they have paid three times the going rate. Those developers deserve to feel the pinch. They must pay — not the community. Developers will learn if their fingers are burnt a few times.

The motion will not provide the instrument with which to solve the problem; it simply puts it on the long finger. I appeal to my friend the Minister of the Environment. She has an effective instrument in her hands — development control. I pay tribute to her because, further to representations by other colleagues and me about the areas that I have mentioned, she has already communicated to her divisional offices that she wishes to ensure that the established character of those areas is properly protected, in line with policy objectives, and that the individual and cumulative effect of

proposals does not significantly erode the environmental quality, character and amenities of existing areas. Members must consider that. The Minister has taken the first step, but I appeal to her to take a further step and put that into action. That would be effective and could be done quicker than the motion's proposal.

The Minister also gave instructions that the density and character of new housing must not detract from the environmental quality of residential amenities and the established character of the wider residential area. Ballyrobert is a small community. If plans are passed, it will double in size over a short time, not because of new development but because a swathe of houses will be knocked down to be replaced by apartments.

4.30 pm

I must correct another point: it is not only old dwellings that are being knocked down; some dwellings that were built only a few years ago are being knocked down too. Where developers can build a multitude of apartments on a site, they are knocking down newer buildings too. We must be sensitive to the needs and demands of the community, and, therefore, the House must do something about this problem.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Tá mé ag iarraidh tacaíocht a thabhairt don rún seo. As my colleague Cathal Boylan said, Sinn Féin broadly supports the motion. A review of PPS 12 is under way, which will provide an opportunity to deal with this issue in a wide-ranging and comprehensive manner. I welcome the Minister for Regional Development's attendance for the debate. He will have his own views on the matter, and he will take note of the many pertinent observations raised during the debate, which will be reflected in the outcome of the review.

There is no doubt that the unique character of our towns, villages and cities needs to be protected and improved, and that that requires rigorous and relevant planning policies. There may be examples of that character being disrupted by improper planning policy, poor design and the practice known as "garden grabbing". However, other Members have mentioned those matters, and I do not have to list any more; we see them daily.

That does not mean that we should oppose the development of brownfield sites to improve the character and landscape of urban centres and to tackle the need for affordable housing. There are many excellent examples, particularly in previously commercial and industrial sites, where the urban landscape has benefited from proper development and much-needed housing has been provided.

Without an effective strategy for the development of brownfield sites, it will become common practice for development to spill out onto greenfield sites in the countryside. We see and hear of the consequences of that every day. We have the opportunity to ensure that

planning policy reflects people's needs, as well as the character of urban and rural landscapes.

In conclusion, although I do not want to predict the outcome of the pending court case, I urge the Minister to speak to his Executive colleague the Minister of the Environment, who is also present and welcome in the Chamber. The proposed reviews of PPS 12 and PPS 14 can result in the best possible policy for the future protection, development and improvement of urban and rural landscapes and the representation of the best interests of our people. Tugann Sinn Féin tacaíocht don rún seo. Sin é. Go raibh maith agat, a LeasCheann Comhairle.

Mr Craig: When I was elected as an urban councillor six years ago, planning issues never appeared on the radar. However, since my election to this House, the number of planning applications from developers in urban areas has exploded. They all seem to want to rip the heart and character out of some of the most settled communities in our towns.

I beg the House's indulgence to talk about some of the most beautiful areas in my community, which have been blighted by that type of character change. In Pond Park, eight apartments were built; in Monaville, there are eight apartments and three town houses; in Ballymacash, there are nine apartments; and there are 26 apartments in Marna Brae. The list goes on and on. All those developments are within one mile of one another.

What is such building doing to the character and development of that area? Looking at the concrete jungle that the area is becoming, the residents and I have serious questions for the Departments. Will the roads cope with the extra traffic that the apartments will bring? How will the council cater for recycling when each apartment needs three bins? Will the crumbling sewerage system be able to cope? The Planning Service seems to dismiss those issues.

I have already received reports from residents who feel intimidated and pressurised by developers to sell their homes or face the prospect of remaining in the houses in which they grew up, surrounded by 10, 15, 20 or more apartments, which they have no desire to do.

Today, the argument is not about the need for new policies. Existing planning policies have to be considered and the erosion of urban areas must be stopped. That aspect needs to be examined. For example, paragraph 1.4 of PPS 7 states:

"The promotion of more housing in urban areas should not be allowed to result in town cramming or damage to areas of distinctive townscape character. In established residential areas the overriding objective will be to avoid any significant erosion of the local character and the environmental quality, amenity and privacy enjoyed by existing residents."

As regards appearance, landmarks and appearance, paragraph 3.2 of PPS 7 states that development plans may set out:

"requirements for the arrangement and appearance of new housing in particular urban areas whose distinctive character would benefit from being reinforced".

Those statements show that there is a critical issue about how policies are being implemented in urban areas.

Mrs Long: Does the Member accept that, even in the circumstances in which planners find common cause with Members on an issue, their decisions are often overruled by the Planning Appeals Commission, which takes a more liberal view?

Mr Craig: I concur fully with that, because I have had similar experiences.

I would defend the Department of the Environment, and especially Arlene Foster, because she has made strenuous efforts to bring the Planning Service under control since taking office. I concur with the measures that she took a few months ago that will result in planners no longer being allowed to view every planning decision as being unique. A more holistic view is required, and one cannot be considering one planning application in isolation when a further 20 are outstanding. Her decision will move the debate on, and could go a long way towards solving some of the issues that we are talking about today.

There is no point in the Assembly passing new laws if those already in place are not being enforced. I know — having spoken to her directly — that the Minister is fully aware of the problems and has started the process in her own Department to stop even more urban areas from becoming concrete jungles.

Mr B McCrea: Like several other Members, I can say that it is this issue that most fills my postbox. People from Drumbeg, Drumbo, Hillsborough, Culcavy, the Belsize Road, the Pond Park Road, the Antrim Road and so on are affected by the issue. However, there is no point in going on about it — people expect Members to do something about it, and they are quoting regulations to us. They quote policy QD1 from PPS 7, which states:

"In established residential areas proposals for housing development will not be permitted where they would result in unacceptable damage to the local character".

People cannot understand why that provision does not count. They then refer to paragraph 1.4 of PPS 7, which states:

"In established residential areas the overriding objective will be to avoid any significant erosion of the local character and the environmental quality, amenity and privacy enjoyed by existing residents."

However, that does not count either. Therefore, when Willie McCrea says that it is great that the rules are in place and that we can go and fix the problem, that does

not happen. He quoted paragraph 4.8 of PPS 7, which says exactly the same thing — and it makes no difference.

On 20 April 2007 I took those issues to two permanent secretaries — one from the Department for Regional Development and the other from the Department of the Environment. The reason that I went to two permanent secretaries was because we could not work out who was responsible for the mess and why it could not be sorted out.

This situation is simply not acceptable. Historic villages, towns and townscapes are being absolutely destroyed, and people did not want that to happen.

When it is asked whether the designation of areas of townscape character has actually occurred, the response is no. Planners in Bangor had the foresight to designate the whole of the town as such; however, the only areas in other towns that were designated were those that were deemed important. It was never envisaged that the value of property would rise so high and so fast that it would be economically viable to knock down a perfectly good house and build others in its place.

Who is to blame for that situation? John Prescott. He wanted to cover the whole of south-east England with concrete. He said that he would no longer count gardens as gardens: he would build on them.

I have attended consultation after consultation, and all the time planners say to us that they are only doing —

Mr S Wilson: Will the Member give way?

Mr B McCrea: Go on then, Sammy.

Mr S Wilson: Does the Member appreciate that the target — for good sustainability reasons — of having 60% of houses in Northern Ireland built on the urban footprint can be achieved only if some gardens are treated as brownfield sites? There are not enough commercial or industrial sites for that purpose.

Mr Deputy Speaker: Order. I ask Mr McCrea to draw his remarks to a close. He was allowed only three minutes; we must finish the debate within the hour that has been allowed for it.

Mr B McCrea: I will finish with the point that has just been raised.

We have to build 200,000 new homes by 2015. Some 60% — as opposed to 30% — must be within the urban footprint, and 60% must be built for single occupancy. We are not getting even close to meeting that target. There is no land for us to build on. Legislation is the only way in which we can address the situation. Past events have proven that controlling development by ministerial decision does not work: the Assembly must legislate.

The Minister for Regional Development (Mr Murphy): Ar dtús ba mhaith liom fáilte a chur roimh an díospóireacht seo. I welcome the motion, and I am

grateful to Mr Beggs for tabling it. It is an important issue, and one can see how impassioned Members have become during the debate.

It strikes me, however, that there are contradictions in what some Members have said. Sammy Wilson intervened towards the end of the debate to point out some of those contradictions. Some argue against overdevelopment of the countryside and say that it should take place within the urban footprint; others argue that development should not be within the urban footprint. I appreciate that a balance must be struck.

I recognise the concerns of those in established residential neighbourhoods who find that the characters of their areas are rapidly changing. Our cities and towns have been built at much lower densities than many of their European counterparts. That means that the effect of higher-density proposals, such as town houses or apartment-type developments, can be dramatic in many instances.

Many of our urban areas have a traditional character and identity; they are attractive residential environments. Therefore, preserving and protecting the amenity of such neighbourhoods must remain an important element of our policy. We need to exercise particular sensitivity in areas of distinctive quality. That is done through the designation of areas of townscape character and conservation areas. For example, the draft Belfast metropolitan area plan 2015 designated 100 areas of townscape character.

Mrs Foster: I thank the Minister for giving way. There has been much talk today of cross-cutting issues, and this is one such issue. Mention has been made of the circular that I issued in August. I did that because this is a matter of development control. Will the Minister comment on the work that is going on between officials of his Department and those of the Department of the Environment on development control issues where apartments and garden grabbing are concerned? Despite what some Members think of ministerial action, officials of both Departments are working on the issue.

Mr Murphy: I confirm what the Member has said. Both Departments are taking action on the issue. We must strike a balance between implementing the plans that were desired — and approved — for 60% of development to take place within the urban footprint, and finding appropriate sites for that development.

4.45 pm

Those decisions were taken with the best intentions in terms of sustainable development and the location of housing where there were facilities such as schools and public transport, instead of increasing urban sprawl, or bungalow blight in the countryside. To balance that with the need to build on brownfield sites, the development of “garden grabbing” has come to the fore.

Measures have been taken to attempt to address that, and there will be further opportunities to do so. There is a balance to be achieved in the outworking of that type of policy, but the intention behind it was correct.

As other Members have mentioned, the problems are fuelled by rising populations, an increase in the number of new households being formed, and people choosing to live on their own. By 2025 it is expected that almost two thirds of households will be one-person households.

My officials are working to update the regional housing need figures to take account of the increases in populations that are caused by such trends. It is important that that information be up to date, as it is used to allocate land in towns and cities. There is an equal commitment to the promotion of future growth in a sustainable way. The overarching framework of the regional development strategy promotes growth first in towns and cities. The aim is to make the best use of urban land and buildings. The regional target is to build 60% of new houses in existing urban areas. The purpose is to reduce the amount of greenfield land used for new development and make better use of existing infrastructure.

However, the 60% target is not a mandate for higher-density schemes in all urban areas. There are lots of opportunities for new homes to be built in towns and cities without imposing on those who live there already — for example, using redundant factories and former industrial land, or the Living Over the Shop initiative, for which Mr Beggs expressed support. Important sites such as Titanic Quarter offer real opportunities for redeveloping industrial land to provide new urban housing.

There are good reasons for this sustainable policy approach. Building more houses at higher densities in the right locations has many advantages. People have easier access to jobs, schools and shops, and it allows for the development of more efficient public transport and reduces the number of journeys made by private car. This policy approach is in line with those taken in all European countries.

No one wants to live in sprawling cities and towns where every journey must be made by car. That threat is real. Between 2000 and 2004 the population of Belfast declined by 4%. Other major cities such as Dublin, Cardiff, Leeds, Birmingham and Manchester experienced population growth over the same period. Therefore, the challenge is to strike the balance between accommodating higher densities on appropriate sites and protecting residential areas from insensitive forms of higher-density development proposals.

I have already referred to the regional development strategy, which contains guidance on how additional housing should be accommodated and emphasises the

importance of protecting established residential areas and the need to protect the character of cities and towns. My officials are finalising the first five-year review of the strategy. That document will set out the definition of brownfield development in more detail and re-emphasise the need to promote quality higher-density schemes in locations close to existing schools, shops and jobs. It is my intention to consult the Committee for Regional Development on the review of the strategy as soon as possible. I will also seek the agreement of the Executive Committee to the document before its publication.

As I have said, my officials are working closely with those from the Department of the Environment to assess the need to update and revise existing planning policy statements that affect planning in urban areas. For example, there are policy statements that deal with housing settlements, quality residential environments, open-space sport and outdoor recreation. The housing settlements policy sets out guidance for dealing with schemes in established residential areas, and the open-space policy deals with the protection of existing open space and areas zoned for open space in development plans. I am also advised that the Minister of the Environment has reminded all Planning Service staff of the need to consider fully the impact on established residential character when processing applications for new residential developments.

Finally, I emphasise that the issue is very important. Housing shapes our cities and towns and has a major influence on the location of jobs and the provision of services. Therefore, it is important that we accommodate additional housing in a sustainable way that respects the character and identity of all our settlements. More homes in our towns and cities are welcome, but not at the expense of treasured existing residential neighbourhoods and communities. Go raibh maith agat, a LeasCheann Comhairle.

Mr McFarland: I thank my colleague Roy Beggs for bringing this motion before the House. I probably speak for most Members in saying that I am disappointed that only one hour has been given to the debate. There is substantial feeling about the issue, so it seems slightly daft that we only have an hour to debate it.

Mr Weir: I sympathise with the Member. However, in the Business Committee, his party Whip asked that only an hour be allocated to the debate because he believed that it could be contained within that time.

Mr McFarland: I thank the Member; I was not aware of that.

I believe that the theme of the debate is an issue that is common to all Members. Every MLA in every constituency will have received an enormous postbag full of letters on planning, building and development in what people believe to be the wrong places. The Minister,

Mr Wells and I are veterans of the Committee for Regional Development in the 1998 Assembly. The regional development strategy is one of that Committee's achievements. That was a long, hard-fought battle. However, the Committee got there in the end.

It would be useful if the Assembly were to remind itself of what that strategy was about: controlled development through consultation with local people. Members will have quickly established that most of the major problems come about because no one consults with local people. There were supposed to be agreed plans so that people knew what would happen in their areas, everyone had been consulted, and developers would work accordingly. That has not happened. The Department for Regional Development was to lay down clearly defined rules. Soon after the regional development strategy was introduced, the Department and the Planning Service released a substantial number of policy planning statements that were supposed to be adhered to by the Planning Service.

The Assembly must also remind itself that the regional development strategy contained housing projections. I do not know whether Members have revisited that document recently. We were assured at the time that those projections were accurate. However, every single one of them was probably a load of nonsense. The projections stated that no houses would be built in North Down, for example. Despite that, several thousand houses have been built there. There is confusion because of that.

The strategy's aim was to stop ribbon development and to build on urban footprints in an effort to avoid towns and villages being joined together. Of course, a necessity of that is to densify development. There is confusion as to whether the strategy states that development should be densified, and what that means. As I recall, the result of people's living longer, leaving home and setting up home themselves, and divorce rates, is that there are expected to be just 1·6 people living in each household by 2025. I stand to be corrected on that.

Mr Shannon: Does the Member agree that PPS 7 is so loosely worded and has been so loosely applied that it has adversely affected the character of certain areas? That has been a key factor in the problem of apartments being built everywhere, including in North Down.

Mr McFarland: I thank the Member for his comment. I also recall that 60% of development was supposed to be on brownfield sites. The Committee rowed with the Department when it said that 40% of development would be on brownfield sites. Six in 10 houses were built on the Castlereagh hills, and there was an enormous row. It was agreed that that figure should be at least 60%. A study was carried out to identify where brownfield sites were in urban areas. It was determined that, as in England, 80% of development could be on

brownfield sites, if that was required. The figure was not set at 60%: it was 60% plus.

What has gone wrong? The Planning Service has continued to break the Department's rules.irate constituents have waved the Department's documents at me many times, which have stated that no apartments can be developed in a certain area or that a particular building cannot be built so close to another. For some reason, those documents appear to mean nothing.

Of course, developers will do whatever they can. If they can drive a coach and horses through the regulations, why would they not? They will go around waving cheques for a million pounds in order to get their development. Why would someone not sell their house and garden for a million pounds if he or she had paid just £10,000, 20 years ago?

Another issue that worries me is that of people being scared. In North Down, there are many little old ladies who are widowed and who live in enormous houses.

Therefore, what happens? Those people, knowing that they are about to be hammered by rates and water charges, realise that they will need some sort of pension. Consequently, they sell off their back gardens — on which a developer builds three or four houses. Therefore, many issues combine to make it vital that the current definition of brownfield and recently developed sites be changed.

I welcome the Minister's urgent review of the regional development strategy. It is vital that it take place. I also want him to revisit his policy planning statements, and to team up with the Minister of the Environment to work out why the Planning Service does not appear to agree with the motion.

Mrs I Robinson: Does the Member mean "senior citizens" when he refers to "little old ladies"?

Mr McFarland: I apologise — I used a euphemism. I am sorry if the Member was offended by it. My "little old ladies" in North Down will understand exactly what I am saying.

More co-ordination is needed. Let us get the matter sorted and end the problem of constituents being disadvantaged by the current planning policy. I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly calls upon the Minister for Regional Development to remove gardens from the definition of brownfield/ previously developed sites in the review of the Regional Development Strategy and Planning Policy Statement 12: Housing in Settlements; and to address the failure of strategic planning policy to protect the unique character of towns, villages and urban landscapes throughout Northern Ireland.

Adjourned at 4.58 pm.

NORTHERN IRELAND ASSEMBLY

Tuesday 2 October 2007

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

Members observed two minutes' silence.

EXECUTIVE COMMITTEE BUSINESS

Company and Business Names (Amendment) Regulations (Northern Ireland) 2007

**The Minister of Enterprise, Trade and
Investment (Mr Dodds):** I beg to move

That the Company and Business Names (Amendment)
Regulations (Northern Ireland) 2007 (S.R. 2007/344) be approved.

I am seeking the Assembly's approval for a set of regulations to add a new word to the list of those that require approval before being used in the name of a company or business. My Department made the regulations on 23 July 2007, and they came into operation the following day. As laid down in the parent legislation, and to ensure continuing effect, the regulations are subject to the confirmatory procedure and require approval by a resolution of the Assembly within 10 sitting days of their coming into operation.

The Department's prior approval is required for a company seeking to use certain words or expressions as, or as part of, a company or business name. A recent application was received in Great Britain to incorporate a company that proposed to include the word "Government" in its title. At the date of the application, which was rejected on a technicality, "Government" was not on the list of words that were proscribed. However, that application generated concern to the degree that a decision was taken that the word "Government" should be added to the list of proscribed terms in order to protect the public from harm arising from a business using a name that falsely suggests an incorrect status.

Consequently, the Department for Business, Enterprise and Regulatory Reform — formerly the Department of Trade and Industry (DTI) — in Whitehall introduced regulations in Great Britain from 10 July 2007, adding the word "Government" to its proscribed list of words and combinations of words, the use of which requires the written permission of the Secretary of State for Business, Enterprise and Regulatory Reform.

Since that legislation did not extend to Northern Ireland, my Department was asked to consider the introduction of similar legislation here. These regulations amend the Company and Business Names Regulations (Northern Ireland) 1984, which are the principal regulations, to add the word "Government" to the list of those words requiring the written permission of the Department before being included in the name or title of a company. The Northern Ireland regulations were brought into operation as soon as possible following the corresponding GB regulations, which came into force on 10 July 2007.

I hope that this motion, which is non-contentious, will be approved by the Assembly.

**The Chairperson of the Committee for
Enterprise, Trade and Investment (Mr Durkan):**
The Committee for Enterprise, Trade and Investment has considered the Company and Business Names (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/344) and, as the Minister has reflected, has noted the circumstances in which the amendment has been brought forward. In a sense, this is "karaoke" legislation — following through on what the Department for Business, Enterprise and Regulatory Reform has done in Whitehall. The Committee understands the circumstances that have necessitated the amendment and recommends that it be confirmed by the Assembly.

Question put and agreed to.

Resolved:

That the Company and Business Names (Amendment)
Regulations (Northern Ireland) 2007 (S.R. 2007/344) be approved.

PRIVATE MEMBERS' BUSINESS

'Equality in Northern Ireland' Report

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

Mr Attwood: I beg to move

That this Assembly notes with concern the report by the Committee on the Administration of Justice 'Equality in Northern Ireland: the rhetoric and the reality'; believes that the numbers of economically inactive Catholic and Protestant households is of particular concern; and calls on the Executive to ensure that the content and conclusions of the report inform decisions and proposals.

At the outset, I apologise. As soon as I have finished my speech, I must go to the Senate Chamber where the Assembly and Executive Review Committee is taking evidence from the Lord Chief Justice and the Policing Board. However, I hope to return as soon as possible. I explained the difficulty to the Speaker's Office, and the Speaker understands it.

It is only right to acknowledge the report, and to note that, at its launch, all the main political parties in the Assembly were represented, either by politicians or by their staff. That indicated the parties' recognition that continued and deep attention must be paid to the issue of equality across the communities of the North.

Furthermore, I put on record that the particular contributions of many who have struggled over the years for equality must be acknowledged and applauded. Although we might disagree with some of their actions and initiatives, the work of people such as Inez McCormick, the late Bob Cooper, and the late Seán McBride have brought this community to a much better place than heretofore in that regard.

I cannot do justice to a 200-page report; I urge Members to read it themselves. Its good authority is based on the statistics and data of Departments in the North, and it should be a catalyst for the next phase of equality.

A catalyst is needed even though there have been significant achievements over the past 30-odd years in respect of equality in the North. As we embark upon the next phase of our political journey, we must be mindful of remaining inequalities — historically, particularly in respect of the Catholic community, and in areas of acute inequality that have begun to emerge in the Protestant community.

I do not want to burden the debate with statistics, but some need to be acknowledged. I will quote two or three from the Committee on the Administration of Justice (CAJ) report.

First, there is an area of employment for which the Assembly has personal and intimate responsibility, namely the Northern Ireland Civil Service. The top-line balance of employment figures in the service is 40% Catholic and 55% Protestant. It is clear that a differential persists in public-sector employment in the North. However, when we probe the headline figures, we discover that deeper differentials exist that are over and above that top-line differential. In the two standard occupational categories where 73% of civil servants are employed, the Catholic community is under-represented by 8%. At the same time, however, that statistic is offset by over-representation of the Catholic community in other categories where, based on the overall numbers in the North, the Protestant community is under-represented. Given that responsibility for the Northern Ireland Civil Service lies with the Assembly, surely we should address such under-representation.

The motion deliberately refers to economically inactive households. That problem is becoming more acute: the percentage of economically inactive households in the North is more than 25% greater than that in England, Scotland or Wales. Therefore, we can see the contradiction in that record numbers of people are in work in the North, and unemployment is at a record low, but, compared to Britain, we still have the highest — and growing — number of economically inactive households. When we examine those figures in more detail, we discover that over the past five or six years, the percentage of such households in the Catholic community — about 19% — has remained stable. That is a big problem. At the same time, the percentage of economically inactive households — meaning that no one in the household, either child or parent, is working — on the Protestant side of the community has increased from 14% to 16%.

Since the restoration of the Assembly a few months ago, housing has clearly been of great concern to Members. The figures in the CAJ report create an acute impetus for the Department of Finance and Personnel to acknowledge in the current Budget negotiations the need to increase significantly the housing budget. Waiting lists for both communities have increased significantly over the past few years — again, more acutely on the Catholic side, by 30%, but, at the same time, by 19% on the Protestant side. At the same time, people on waiting lists to be rehoused are waiting for an unacceptable length of time. Again, it is higher on the Catholic side, at around 13 months, but Protestants still have to wait for nine months.

Government policy on all of this, including anti-poverty policies such as TSN, reveals the following points. I want to read into the record what a CAJ briefing note says on this:

"Of the top 20 poorest areas in Northern Ireland, only one, Ballymacarrett, is outside North and West Belfast or Derry. Of the

top 50 most deprived areas in Northern Ireland, only seven are outside North and West Belfast, or Derry ... In relation to community breakdown, of the top 20 poorest areas in Northern Ireland, 13 are overwhelmingly Catholic and 7 Protestant."

Whatever side of the community we may come from, it should be a matter of deep and common concern that those statistics reveal what they do about Protestant and Catholic disadvantage. Yes, disadvantage, for historical and other reasons, is more acute on the Catholic side of the community, and those differentials must be addressed; nonetheless, it is a common problem.

10.45 am

What should we do? The SDLP proposes that, first, the House should support the motion, at least because, in doing so, it will put on record its concern and create a benchmark for the issue of inequality in the North. Secondly, we should acknowledge that, whatever progress has been made in recent years, inequality still endures and is deeply embedded — acutely so in parts of the Catholic community but also in parts of the Protestant community. We should appreciate what the CAJ says about a stable and cohesive society's having as its bedrock the issue of equality. We should acknowledge that the Equality Commission, which, under previous leaderships and in its predecessor form, was an engine for change, has become a body in which a management culture around equality operates, rather than a change culture.

Let us devise specific policies that address the early-years strategy, especially in those areas where people have low educational attainment. Low educational attainment is pretty acute in parts of my constituency, including on the Shankill. Let us introduce the single equality Bill, because legislation has always been an engine for change and part of the architecture for the future.

My colleagues will speak about other proposals, but I urge Members to support the motion so that we will be able say to the people of the North that, on the issue of equality, we are prepared to be judged and to judge ourselves.

Mr Deputy Speaker: I call Mr Danny Kennedy, the Chairperson of the Committee for the Office of the First Minister and the Deputy First Minister.

Mr Kennedy: I will not be speaking as the Chairperson of the Committee, Mr Deputy Speaker. Whether that affects the pecking order in which Members are called to speak, I am not sure. I am open to your guidance, but I am happy to speak.

Mr Deputy Speaker: Go on ahead.

Mr Kennedy: The essence of the SDLP motion is the CAJ report's contention that, despite historically high levels of employment, the community differential in economic activity in Northern Ireland should be

interpreted to mean inequality between the two main communities. The SDLP obviously agrees with that assertion.

No reasonable person can deny that economic inactivity is a matter of grave economic and social concern. However, my opinion, and that of the Ulster Unionist Party, is that to view the challenge that we face simply by considering supposed inequalities that exist between the two main communities is to ignore some fundamental realities of the nature of economic activity. If we were to do that, the Executive could be distracted from addressing the real, substantive issues that contribute to economic inactivity.

It is vital to note that, although high levels of economic inactivity persist in Northern Ireland, they do so in the context of historically high levels of employment and significant levels of migration from other parts of the European Union.

Even the CAJ notes that the existing legislative framework has promoted equality of opportunity in recruitment and employment. Alongside that, labour-market demands mean that Northern Ireland has required significant levels of migration. According to the Northern Ireland Statistics and Research Agency, Northern Ireland has experienced — proportionately — slightly higher levels of migration from the EU accession states than has the rest of the United Kingdom.

As such, levels of economic inactivity are incredibly difficult to explain merely in inequality terms. Employment opportunities are significantly more abundant in Northern Ireland today than they were a decade ago. Fair employment practices have addressed past concerns, so it would be a huge mistake to interpret the challenge of economic inactivity by using the language and concepts of past debates.

Northern Ireland has the highest rate of economic inactivity of any of the 12 UK regions — 27.1% compared with a UK average of 21%.

However, that bald statistic is misleading. Other UK regions share similar challenges in respect of economic inactivity. Wales has an economic inactivity rate of 24.1%; the north-east of England, 25.7%. In common with Northern Ireland, those regions are well aware that their levels of economic inactivity are significantly above the UK average. The issue is also a matter of much debate and comment in those regions.

To view the challenges that Northern Ireland faces in tackling economic inactivity through a sectarian prism is to miss the point entirely. To rely exclusively on a CAJ report to influence policy on this matter is, again, to miss the point entirely. In common with other UK regions, we have unacceptably high levels of economic inactivity, which undermines our economic prosperity and our social cohesion. However, Northern

Ireland is not unique in facing such challenges — there is a wider UK context.

The Executive have a responsibility to secure equality of opportunity for all in Northern Ireland. The securing of a strong economy and a strong society requires that all, irrespective of background, have the opportunity to contribute to economic prosperity and to the well-being of our community. There is also a responsibility on all to respond to those opportunities, to seek gainful employment, and to contribute to the common good. The debate on Northern Ireland's levels of economic inactivity is, therefore, one that we must and should have. However, it should not be couched in the terms of the old divisions. That is the fundamental flaw in the motion, and that is why the Ulster Unionist Party will oppose it.

This debate must take place in the context of the economic and social challenges faced by many regions of the United Kingdom, and by the entire United Kingdom.

Mr Spratt: The report of the Committee on the Administration of Justice is fundamentally and terminally flawed, and it should not form the basis for decision-making on the part of the Office of the First Minister and the Deputy First Minister.

On reading chapter 1 of the report, it becomes apparent that its authors believe that unionists have been opposed to equality for years. Unfortunately, that fallacy sets the tone for the rest of the report. The overriding theme of discrimination against Roman Catholics is totally inaccurate, and any notion that the Roman Catholic community was — and still is — downtrodden is not accepted by Members on this side of the House.

If we are to debate discrimination in this Chamber, there are some stark examples of discrimination against the Protestant community that are well worth highlighting. It is clear that Protestants are under-represented in the Civil Service as a whole, particularly in the Child Support Agency and in the Northern Ireland Housing Executive, where Protestants represent only 34% of the workforce. That is to name but a few examples.

If we are to discuss equality and discrimination, let us put all the facts on the table. Let us see what proactive measures are being implemented to attract Protestants into jobs in areas in which they are disproportionately under-represented. Let us discuss the discrimination against young Protestants who want to join, and pursue a career in, the Police Service of Northern Ireland. Members must remember that the imbalance in the ranks of the police was not created by anything other than a murderous terrorist campaign against the RUC, its members, and the families of those members, and by a campaign of intimidation against young Catholics

and their families in order to prevent them from joining the ranks of the RUC.

In common with the Member for West Belfast who proposed the motion, Mr Attwood, I am concerned about the number of inactive Protestant and Catholic households in Northern Ireland. However, we do not need to take the CAJ report into consideration when seeking to address that problem. As an Assembly, we have a duty to every member of Northern Ireland's population, regardless of religion, to ensure that opportunities exist to allow those who are seeking employment to find a suitable avenue into the workforce.

The Assembly has a duty to the entire Northern Ireland population, regardless of religion, to ensure that those seeking employment can find suitable avenues back into the workforce. We have a duty to those in most need in the Province. We are well aware of what is required, so we do not need this report, with its many flaws, as a guide to tackling economic inactivity. If we are to tackle inequality, let us tackle it together, and without recourse to a biased and jaundiced report such as that from the CAJ. I oppose the motion.

Ms Anderson: Ba mhaith liom labhairt ar son an rúin seo. I support the motion. Inactivity rates are at the core of the North's economic problems, and they encapsulate the essence of our difficulties, and their solutions. Investment to secure prosperity cannot be separated from investment to address inactivity rates and impoverishment in our communities — the two are structurally and intrinsically interlinked.

Some 272,000 economically inactive people live in the North of Ireland — 147,000 are Catholics and 126,000 are Protestants. Therefore, a huge number of people is excluded from all that we consider must constitute equality of life. People are stuck in a vicious, generational spiral of poor housing, poor health, poor education opportunities and poor social lives.

The phrase "economically inactive" means that people — indeed, whole families — are unemployed but not categorised in total unemployment figures. Many of them are students, carers, those who look after the family home, or those who are sick or disabled. We all know them.

As the CAJ report notes, some of those people would like to work — at least 40,000 of the hidden unemployed — but there are no jobs available for them. When calculated as a societal loss, were those 40,000 people who want to work to gain employment at an average of £12,000 a year — I would want them to earn more — that would represent an increase in income to society of almost £500 million. That does not take account of savings accrued in benefit payments, a conservative estimate of which would be about £300 million. The total would, therefore, be £800 million.

We all know streets in which economic changes meant that everyone had work, yet now they have none. Shipbuilding, textile and engineering industries have collapsed as a result of global changes. With that, whole industries on which local economies were built have gone, leaving behind incomprehension, despair, bitterness, anger and, ultimately, hopelessness.

In the west of the Bann, which includes the city of Derry in my constituency, only 63% of Catholics and 72% of Protestants across the region are engaged actively. There are pockets in which levels of inactivity are higher. However, even those appalling statistics disguise the real story. Derry's resident employment rate is around 10% lower than anywhere else in the North. Only slightly more than 50% of working-age people — half of Derry's working-age residents — are in employment. The waste is criminal.

The CAJ report reviewed some of the policies that have been in place during the past 15 years — New Deal; the action plan in the anti-poverty strategy; and the NIO's 'A Shared Future' — and explained why those have utterly failed to have an impact on inactivity rates. The report also enables us to learn from those mistakes and suggests policies that will be successful.

If we want to deliver economic growth while reversing rates of inactivity, we must target specific areas of disadvantage through investment and procurement policies in which the impact is measured through equality impact assessments (EQIAs) in order to meet the social needs of the people who live there. Under equality legislation, there are legal and statutory obligations on the public sector to do just that. We must change current patterns.

We have come a long way since the Assembly of 2002, when the leading parties in the Executive did not ensure that the Programme for Government was subject to an EQIA.

They did not ensure that economic prosperity would also tackle disadvantage; they did not ensure the proper application of equality and TSN principles to funding allocations in the Budget. Fortunately, intelligent political leadership now prevails.

11.00 am

This Executive will make a difference. This Executive will consider how the equality impact of spending £16 billion on investment can change the awful reality that is experienced by too many people in places such as my own constituency of Foyle.

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

Ms Anderson: I say to Members of the SDLP and the UUP that Sinn Féin will not be found wanting.

Mr McCarthy: The Alliance Party is grateful to Alex Attwood for tabling today's motion and for drawing the CAJ report to the attention of the Assembly.

Inequality — and, indeed, the perception of inequality — leads inevitably to a sense of injustice, which, in turn, feeds anger, bitterness and, sometimes, hate. Building a peaceful society in Northern Ireland is predicated on building one that is scrupulously fair and is seen to be so.

The report's authors do not argue against the widespread perception that direct discrimination is now at a low level, but they do argue — with some force — that structural inequalities are still a serious problem for society in Northern Ireland. There is no doubt that, on virtually every indicator, Catholics are more likely to suffer disadvantage than Protestants.

It is legitimate to debate whether inequality is a historical legacy that is in the process of disappearing or is a persistent gap that will not go away without concerted action. The fact that, despite a period of record economic growth, so many of those inequalities have persisted — albeit at a reduced level — would indicate that the latter is the case. As long as inequality exists, it is the duty of any civilised society to root it out and see that it comes to an end, once and for all.

However, the report falls down badly in its assertion that the persistence of inequalities demands that we move away from objective need being the sole criterion for the allocation of public money. If we move away from objective need, that raises the spectre of people being refused help that they desperately need simply because they fail to come from the targeted background or do not live in the "correct" area. Poverty is no respecter of background, and discrimination has no place in this society.

Indeed, the report makes strong arguments — rightly — against the creation of a task force on Protestant working-class communities. The report notes that the problems faced by those communities are not different fundamentally from those faced by working-class Catholic communities. Therefore, the authors are right to argue against sectarianising poverty in this case, which makes me wonder why they want to sectarianise it in other areas.

Over time, a robust targeting of resources according to objective need must eradicate inequalities, but only if the programmes in question work. In that respect, the report is seriously flawed; for example, the authors examine New Deal and use it as an argument as to why objective need does not reduce inequality. However, New Deal has been shown to be fairly ineffective for people of all backgrounds throughout the UK — Catholic and Protestant, black and white, men and women. If social programmes are to be used to reduce inequalities, they must work in the first place.

I commend the authors' focus on economic inactivity, which could be described as Northern Ireland's "dirty little economic secret". Northern Ireland's economic inactivity rates are the highest in the UK, and, as the report notes, they are not improving.

Mr B McCrea: Will the Member give way?

Mr McCarthy: No, I want to finish.

We desperately need to move away from new Labour's failed policies and look at countries where much more active labour-market policies, aimed at the economically inactive, have borne fruit. Denmark is the obvious model. What can the Danish example teach us about tackling poverty, whether in Shantallow or Shankill?

Another flaw in the report is its rubbishing of the shared future agenda and, in particular, the failure to spot its relationship to housing inequalities. North Belfast is highlighted in the report as having particularly serious inequalities in housing allocation. The appalling waiting times faced by housing applicants from Catholic backgrounds are a direct consequence of many areas of north Belfast's neither feeling nor being safe for Catholics to live in —

Mr Deputy Speaker: Mr McCarthy, your time is up.

Mr Shannon: Having read parts of the aforementioned report, I have to agree with Alex Attwood that there is cause for concern. However, my concern flows from the severely tainted nature of the report, which makes no pretence of being unbiased. As I worked my way through the report, I did not see a reflection of the way forward for Northern Ireland — a way to address employment issues properly, or to help those who wish to find work and jobs that they like. I did, however, see a throwback to the Northern Ireland where religion and community background were blamed for every problem. The fact that unemployment is down and Northern Ireland is more economically stable than it has been in many years has no place in this report, which seeks to blame the position of certain sectors of the community on religion, and not on the ability and desire to have work and to seek work.

It cannot be disputed that there are a large number of people in the community who have a desire to work, but who cannot find work — for example, men laid off from factories at the age of 50 and who have limited skills. Undoubtedly they have the desire to work, but they find it difficult to get anyone to hire them. DEL (Department for Employment and Learning) and DETI (Department of Enterprise, Trade and Investment) should provide opportunities for training in new skills and confidence in the skills that exist but need to be stretched. That help should not be restricted to the sector of the community that may have had less cause for retraining in that year. It must go, rightly, to the people who need it, regardless of their creed or persuasion.

Alex Attwood referred to deprivation in north Belfast. North Belfast has not cornered the market in deprivation. In parts of the area that I represent — Newtownards and the Strangford constituency — places such as Scrabo estate, West Winds estate and parts of Portaferry, which Kieran McCarthy and I represent with a different hat, have a level of deprivation as high as that in north Belfast. We deserve the same focus. That needs to be put on the record in this Chamber.

I could stand here and read out the statistics in the report, which are undoubtedly thought-provoking. There are general ideas in the report that should be implemented. However, to say that the report should be put into practice in its entirety will not put Northern Ireland in a stronger position. It will trail us back to what we have struggled to come away from — a society where we are tied to one community or another, with an inability to assess any situation without bringing in bias or unfairness.

The DUP wants equality for all, and it has put that on record. This report does not address unemployment in Northern Ireland. It bandies about age-old excuses, and that kind of pot-stirring has no place in the Province today. We undoubtedly have higher unemployment than we would like, but is that down to the religion of those applying for jobs? Of course, if applying to the PSNI, it is down to religion. A large proportion of the people whom I represent cannot seem to get jobs in the police force, even though they have the ability, qualifications and experience.

Mr B McCrea: Would it interest the Member to know, with regard to the supposed jobs that we are looking for and this 50:50 recruitment in policing, that although 30% of people are Catholic males and 30% are Protestant males, only 13% of Catholic women apply? If they are looking for jobs, why do they not apply and try to get themselves out of this economic morass?

Mr Shannon: I thank the Member for his intervention, and I wholeheartedly agree with him. He is absolutely right. I have nothing against a person of whatever religion applying for a job — we should all have the same opportunities to get a job. We must implement a strategy that creates a way forward, not one that looks to the past and offers no real hope.

One of my boyhood heroes was Winston Churchill. He said:

"Continuous effort, not strength or intelligence, is the key to unlocking our potential."

The report does not advocate that approach; it merely plays a blame game. As such, I cannot support a report that offers no real fairness to the people of Northern Ireland, either Protestant or Roman Catholic. I oppose the motion.

Mr Molloy: Go raibh maith agat, a LeasCheann Comhairle. I support the motion, and I thank Mr Attwood for securing this important and welcome debate.

The CAJ must be commended on the work that it has put into the report and for the fact that it has given recommendations on how to address the problems that we are experiencing. I encourage unionism not simply to dismiss the report but to welcome it and to play a part in the research that must be carried out into past discrimination. Unionists may not agree with everything in the report, but they should be part and parcel of a process that leads to the production of other reports so that a complete picture can be drawn. If unionists want to contest arguments in the report, that is fair enough; they should do so and challenges should be made, but they must also come up with alternatives.

However, we must accept that the report has identified some projects that the Government have put forward to alleviate the situation — although others would say “mask”. The New Deal programme is one such project. Like new Labour, it is based on a spin policy that has been designed to cover up matters and to create an impression of low unemployment, when, at the end of the day, it has created no real jobs and effected no change. Very often, much of the work and money involved has been wasted. I regret to say that a lot of the European money has likewise been wasted. With no strategy in place to ensure that European money is used to create long-term jobs and commitments, it has sometimes become a case of going round the same old houses.

It is noticeable from economic activity tables that there is a high level of economic inactivity west of the Bann — some 59% or 60%. It is clear from the breakdown by constituency and council area that that is where the inactivity is to be found. I commend those who have created economic activity themselves — those local entrepreneurs who have done it on their own. They created jobs because they realised that there would be no Government jobs west of the Bann, no encouragement from any agencies to create employment west of the Bann, and no inward investment west of the Bann. Local unemployed people and local entrepreneurs created the jobs themselves, and, as a result, some of the best businesses in the world today are located west of the Bann — for example, Powerscreen International plc, which is owned by TEREX. Some 80% of the world's quarrying machinery is manufactured west of the Bann. Therefore, out of that situation came initiative. At the same time, Government continually financed the big industries east of the Bann — the shipyard and so on — but those have failed to deliver. Thus, there is a clear imbalance in investment east and west of the Bann.

From a unionist perspective, it may not be nice to hear that the discrimination west of the Bann affected

not just Catholics, but everyone who lived there. It just happened to be that the majority of people who lived west of the Bann were Catholics; therefore, they suffered most. Unfortunately, unionists accepted that discrimination because it was mainly Catholics who suffered and they did not raise their voices. I welcome the fact that Members such as Gregory Campbell are now discussing discrimination west of the Bann and that they accept that situation. Hopefully, we can now instigate change in order that the east/west divide will no longer be a topic for discussion.

I encourage Invest NI to examine how entrepreneurs west of the Bann have helped themselves, and how those efforts could be supported.

11.15 am

Mr Shannon accepted some of the report's concerns, and the intent of Mr Attwood's motion. I encourage Mr Shannon to add his concerns to those expressed in the report so that we can begin to tackle this problem collectively. There is no reason why this matter should divide us. We should unite to eradicate discrimination and inequality across the board, no matter where it is happening. We have the facilities to do that: we have the Assembly in which to debate the matter, and there is a climate of economic growth in which we can tackle the problem. Let us come together and, instead of dividing the House, say collectively that we welcome the report. Go raibh maith agat.

Mr Campbell: This is an important topic, but part of the problem with the report is the nature of its authors. The Committee for the Administration of Justice is not exactly a non-partisan body, and its various reports down the years on a variety of subjects have demonstrated that. However, I shall begin by mentioning a couple of issues on which, I imagine, there is broad consensus.

Statistics indicate that unemployment in Northern Ireland is at an all-time low. There are regional variations but, overall, the country is experiencing significantly higher levels of employment, and consequently, lower levels of unemployment, than has been the case historically. That is good, and is to be welcomed.

However, we must attract the highest possible quality of employment into Northern Ireland, and I know that the Minister of Enterprise, Trade and Investment and others are concentrating on that. We have many part-time employees, particularly women, who are in jobs from which they want to move on. I imagine that there is consensus on that matter. The CAJ report does not address that matter, other than in passing.

To cut to the chase, I have noticed that one or two Members —

Mr Newton: Will the Member give way?

Mr Campbell: Yes, before I cut to the chase.
[Laughter.]

Mr Newton: In a press statement about equality that was published on the Sinn Féin website, Martina Anderson makes disgraceful remarks about the work of civil servants, by stating:

“There would appear to be an army of civil servants there who are opposed to any change in the status quo. They seem to have worked damn hard over the decades to maintain inequalities and to preserve their own privileged position.”

Is that not a disgraceful attack on civil servants in general, who are unable to respond in the political arena to challenge such statements?

Mr Campbell: I thank the Member for those comments, and I will deal shortly — again — with the inaccuracies of the Member whom he mentioned.

The bulk of the CAJ report deals with the issue of employment in Northern Ireland. Almost two thirds of the Province's workforce is employed in the public sector. We must ensure that private-sector investment creates more jobs in order to complement the number of jobs in the public sector. However, the CAJ and the SDLP, in what I might describe as a Back-Bench motion to keep the backwoodsmen happy, to use language from last week, are contending that there is an overall problem that is changing only slowly.

If the CAJ report and the SDLP motion purport to consider overall employment patterns, they exclude and ignore what is happening in 2007. Discrimination in police recruitment is happening now, and Robin Newton mentioned the situation in the Civil Service. A picture is emerging, but I have been raising these issues for decades, along with others.

Currently, there are 300 civil servants in the higher echelons of the Civil Service, where Catholic disadvantage is reducing year on year. Therefore the problem is minimal and is almost about to disappear. The Civil Service employs 30,000 in the general service grades — the largest number by any employer, anywhere in the country. Where is the disadvantage? It is among the Protestant community, and that must be addressed. That is where the problem is and no amount of waffle, statements or rhetoric will address it.

Last week, I met the Minister of Finance and Personnel in an attempt to address the matter and I am hopeful that a remedy can be found for the situation, in which large numbers in both communities — particularly the community that I and my party represent — need higher-quality employment. My community has been disadvantaged, not for six months, but for years. Those people, with all the other communities, need to see the problem and the issue resolved.

Unfortunately, CAJ does not appear to be capable of understanding that. Nor does the SDLP's motion grasp

that reality. Given the comments that have been attributed to Martina Anderson, I do not expect Sinn Féin to grasp it either.

Mr Deputy Speaker: Please draw your remarks to a close.

Mr Campbell: The motion does not face up to the reality of the emerging picture; therefore, the DUP opposes it.

Mr Elliott: I am disappointed that the Ulster Unionist Party amendment was not accepted. I welcome the comments made by Mr Molloy. If I heard him correctly, he indicated that there was discrimination against the Protestant population in parts of Northern Ireland. If he wishes to clarify that, I am willing to hear him.

Equality is an issue that raises its head in various arenas. On many occasions in the House I have addressed the issue of equality for agriculture and rural communities. The importance of the word “equality” in the life of everyone in Northern Ireland should not be underestimated. The report published by the Committee on the Administration of Justice — and I support Mr Campbell's comments about that organisation — has several negatives; however, I accept that there are some positives. The report, which addresses the previous 30 years here, shows that the legislative measures adopted during that time have made some headway into the sectarian headcount that takes place in some types of employment. Furthermore, the report notes that ending political and religious discrimination at the point of recruitment has, in general, been effective. Indeed, the Northern Ireland Life and Times Survey shows that 90% of people now prefer a mixed workplace. That is an increase of almost 10% from 2000.

The positive aspects of the report and the survey results show that, after coming out of the dark days of the Troubles, Northern Ireland is making progress in economic diversity. I am sure that a report 30 years from now will further reflect the integration of communities, as Northern Ireland becomes, hopefully, a more normal society.

I agree that the number of economically inactive people living in Northern Ireland is frightening. From March to May 2006, there were 538,000, the majority of whom were female. The main reason given for economic inactivity among both Protestants and Roman Catholics was sickness and disability and nothing to do with religion.

It is important that economic evolution is part of the process of moving forward socially and economically. Although the phrase “economic inactivity” includes adults who, for whatever reason, are not seeking work; children below the age of 16, and those who are beyond pension age, the majority of the figures quoted usually refer to the working-age population alone. We

must seek to encourage those who can work to do so, and, as more jobs arrive in Northern Ireland, we must capitalise on the opportunities that will open up.

We must work with those agencies that help people to find employment and we must seek to develop opportunities for Protestant and Roman Catholic students. Too many of them are leaving home to work on mainland GB or in the Republic of Ireland and are not returning due to the lack of jobs.

Interestingly, a recent study conducted by researchers at the University of Bath shows that Protestant countries have higher employment rates than non-Protestant countries. The study claims that that is due to the Protestant work ethic, which makes subjects work hard, even when they do not want to work. I do not know whether that is relevant, but Dr Horst Feldmann from the University of Bath stated:

“the most likely reason for the impact of Protestantism on employment was the legacy of the commitment to work cultivated through the early Protestant church.”

He went on to say:

“In its early days, Protestantism promoted the virtue of hard and diligent work among its adherents who judged one another by conformity to this standard.”

Mr O’Loan: The Committee on the Administration of Justice’s report is an important summary of the state of equality in Northern Ireland, and I praise committee members for the important work that they have done over the years.

There are four key summary points in the report: first, that there has been real progress on equality in the labour market but that structural inequalities remain; secondly, that there is still a large group of economically inactive people and that Catholics are significantly over-represented in that group; thirdly, that there are sectors of deprivation remaining, particularly in relation to housing and deprived residential areas, and that that deprivation still affects Catholics in particular; and fourthly, that the report is critical of the policy approach in ‘A Shared Future’, and argues that it is not equality-based and is, therefore, ineffective. That is the main point.

I will not repeat the information that Alex Attwood provided on employment and on those who are economically inactive, but there are important conclusions to be taken from what he said. The Fair Employment (Northern Ireland) Act 1989 and the Fair Employment and Treatment (Northern Ireland) Order 1998 are significant legislative remedies. The SDLP was instrumental in achieving those pieces of legislation, which are based on compulsory religious monitoring and affirmative action. Those pieces of legislation have done the business, in that they have essentially eliminated discrimination from the employing process. We have achieved balance in the public and private

sectors in relation to the numbers of Catholics and Protestants who are employed. However, the report states that there are structural imbalances within that overall balance. Those are important indicators that our community is still divided. We must examine that closely as part of the debate.

The report tackles three Government measures that address poverty, social exclusion and social cohesion. Those measures are: targeting social need, the task force on Protestant working-class communities, and ‘A Shared Future’. The report refers to a mythology around Protestant working-class areas — and there is some validity in the reference to mythology.

Alex Attwood cited the facts. The report contains a lot of factual information, from which it draws conclusions. I have no difficulty with people disagreeing with those conclusions — I disagree with some of them — but the facts cannot be ignored. For some Members, the less their arguments are based on facts, the louder their voices become. If those people do not attend to the facts that are included in the report, they do not deserve to be taken seriously in a debate on equality.

11.30 am

I have no objection to affirmative action in Protestant working-class areas, but it must be directed towards real need and not be politically driven. For example, there is evidence of educational underachievement in Protestant working-class areas — it is proper and necessary to address that. When referring to Protestant working-class areas, it is essential that the scourge of loyalist paramilitarism is mentioned. All Members should unite to state that threats, violence and criminality must be removed. All Members must support that, and there should be no sideswipes at the Minister for Social Development, who is working effectively to achieve that.

The debate about the concepts of equality and a shared future, and their merits, is very important. Some Members advocate equality and reject the concept of a shared future. We could attempt to create a society in which — on the surface — there is equality in each community, but no social cohesion. I am convinced that that would not work. The concepts of equality and a shared future are essential, and should both be supported by all Members. It is on that point that I disagree with the conclusions of the report.

Mr B McCrea: The motion is not only wrong in principle, but also in its approach and analysis of the facts. Declan O’Loan has just stated that he does not have a problem with people’s reaching different conclusions than those of the report. However, certain Members are being selective. The report states that there have been vast improvements on perceived discrimination in employment. However, as Gregory Campbell mentioned, there is no attempt to address such inequalities in the Health Service.

The report deals with the important issue of housing. Yesterday, Alex Attwood's colleague the Minister for Social Development told the House that the Housing Executive was a professional organisation. The Housing Executive's response to the CAJ report referred to issues such as the:

"lack of understanding/acknowledgment of complexities of housing markets; failure to acknowledge the political sensitivities of providing housing services in a divided community; failure to acknowledge the need for additional resources to support an adequate new build programme; failure to recognise the substantial investment in areas of high demand."

Who are the Members on the SDLP Benches going to support: Alex Attwood or Margaret Ritchie?

Mr Attwood: I do not know whether the Member was in the House when I proposed the motion. If he was, he will recall that I stated that waiting times for the Catholic and Protestant communities are unacceptably high — although higher in the Catholic community. I also said that waiting lists have grown in recent years by 35% for the Catholic community and 19% for the Protestant community. I argued that those figures should provide an impetus, during the current Budget negotiations, for the Government to ensure that significantly more money is allocated for housing. What is the problem with that?

Mr B McCrea: I was in the House to hear the Member's speech, as I was for all the subsequent contributions.

Mr Attwood is being selective in the information that he is using. Are Members aware of a report by the Joseph Rowntree Foundation, 'Monitoring Poverty and Social Exclusion in Northern Ireland', which comments on the number of economically inactive people? It states that 7% of the adult population in Northern Ireland were injured during the Troubles, and 36% had a close friend or close relative injured or killed. The report states that those facts account for the differentials in economic inactivity with regard to sickness, mental health and disability living allowance. That is why there is economic inactivity. One may talk about legacy issues and their effect on young people, but the real problem — and we have talked about it in relation to other issues — is that 14% of young people in some areas do not pass any GCSEs. Five per cent of those young people do not get any qualifications at all, and 35% of eleven-year-olds do not even reach level 4 in Key Stage 2; that percentage is twice as high as elsewhere. The real problem does not relate to some type of pseudo-inequality but to education.

Mrs D Kelly: Will the Member give way?

Mr B McCrea: I do not get another extra minute, Dolores, so please be quick.

Mrs D Kelly: Regardless of the reasons for economic inactivity, does the Member recognise that

we are in a state of economic inactivity that must be dealt with?

Mr B McCrea: The SDLP is drawing the wrong conclusions from the wrong facts, based on a shoddy piece of academic work, and if the questions are wrong, it is unlikely that the answers will be right. That is why the Ulster Unionist Party opposes the motion. It is utter tripe to talk about inequality when the facts stack up against it. The facts do not fit the argument, so Mr Attwood changes them and carries on regardless. We have faced huge challenges, and we must now deal with improvements in educational attainment. One might ask why some people do not take up employment? Why will the 40,000 supposedly economically inactive people who would like a job not take a job? Is it because almost 40% of all female jobs are part-time positions, or is it because women are 37% more likely to earn a low wage than men? If the differentials are not right, it is difficult to encourage people out to work.

It is not our job to conduct a witch-hunt and ask what is fair, what is unfair or what is right or wrong. The Assembly must explain to people that they have to be responsible for their own actions. We must get those communities sorted out. Duncan Morrow, the chief executive of the Community Relations Council, said that once a community becomes synonymous with rioting and other bad images, it is not surprising that its people — including its skilled people — leave and that it is unable to attract inward investment. I urge the Members opposite to stop going after this red herring: start concentrating on the real issues. If those Members leave those issues aside, this side of the House will support them. The SDLP has brought up an emotive red herring, which is why the Ulster Unionist Party rejects the motion.

The Deputy First Minister (Mr M McGuinness): I thank Members who contributed to the debate. All contributions were valuable, regardless of what side of the argument Members were on.

One of the most important contributions came from Jim Shannon, who argued that deprivation and inequality exist in many housing estates and areas throughout the state. He went on to state powerfully that he and the DUP wanted equality for all. It was significant that, during the debate, not one Member argued that inequality was a good thing. That represents important common ground on which the Assembly and the Executive can, and must, build.

Equality is an important issue for the Assembly and for society. Inequalities exist, and we must strive to achieve the goal of eliminating all forms of inequality. 'Equality in Northern Ireland: The Rhetoric and the Reality', produced by the CAJ, is a thorough and detailed report that deals with a wide range of complex issues.

The report is already a year old, but the issues it raises still need to be considered.

The CAJ report draws heavily on officially published sources of information, and it properly points out that some progress has been achieved in all sections of society over the past 30 years. It also usefully highlights some of the persistent inequalities that affect both communities, particularly the widening gap between the haves and the have-nots.

In the time available today, it is not possible to deal with all the areas covered in the report. However, that is not to say that a further detailed consideration is not merited — indeed, over the coming weeks and months, the conclusions of the report will require a full examination.

Given the focus of today's debate, I will concentrate specifically on the issues around economic inactivity among Catholic and Protestant households. Among the key questions that we should ask ourselves are: what is the level of economic activity in households here, and, more importantly perhaps, what are we doing to address that perennial issue? Although the motion focuses specifically on economic inactivity, it cannot be considered fully without also considering employment and unemployment, given that economic inactivity and economic activity are two sides of the same coin. Obviously, to reduce one, the other has to be increased. That places a mighty responsibility on the Executive proactively to change the existing patterns of social disadvantage by using increased prosperity and economic growth to tackle poverty.

As my Executive colleague the Minister of Enterprise, Trade and Investment, Nigel Dodds, put it in the Chamber on 10 September, we should be raising the economy so that everyone can benefit:

“paying absolute regard to the particular challenges and disadvantages that affect particular areas, whether in the west, the north-west, the south or certain parts of Belfast.” — [*Official Report, Bound Volume 23, p223, col 1*].

Economic inactivity is due to a wide range of factors. The North has a high proportion of students and people looking after the home, who are counted as being economically inactive. The Assembly needs to consider measures that will allow those with caring responsibilities that are limiting their ability to utilise education, training and quality employment to share in the growing economy.

It is important to note that education is necessary for increased economic growth and prosperity. The fact that there is a high percentage of full-time students is not in itself an unwelcome statistic. Of course, the proportion of economically inactive citizens able to take up employment could well increase if the conditions enabling them to enter the labour market were more favourable. That is the challenge for all of us today — to use information to develop new and

innovative measures that will address existing patterns of socio-economic disadvantage based on tackling the objective needs of those worst affected.

One of the main official sources of information on economic inactivity is the labour force survey. The latest seasonally adjusted estimate for May to July 2007 is that there are 290,000 economically inactive people of working age in the North, representing 27·1% of the working-age population. That remains significantly higher than the current rate in England, Scotland and Wales, which is around 21·2%.

None of us can fail to acknowledge the exact scale of the challenge that lies ahead. Seasonally adjusted estimates show that there are around 760,000 people in employment, and the unemployment rate, at 4·5%, is among the lowest of all the regions, as Gregory Campbell correctly said. However, it is important to note that some observers, including the CAJ, have argued that current calculations of the unemployment rate can create a false impression by failing to take account of the hidden unemployment of those who are, for example, on various Government schemes. The latest available data for 2005 from the labour force survey religion report shows that one in three Catholics and one in four Protestants are economically inactive.

The labour force survey is a detailed, complex and objectively compiled statistical assessment that provides a factual overview of the status of the economy in the North. I remind all Members that the report has been published by the Office of the First Minister and the Deputy First Minister, and can be accessed on the Department's website.

11.45 am

A wide range of policy responses will be required to tackle the problem of economic disadvantage. We know that the economically inactive do not form a static group. Indeed, more people join the labour market who are classed as economically inactive than those who are classed as unemployed or those who are classed as seeking work. By the same account, the latest available conclusions about the New Deal, as outlined by the Department for Employment and Learning's statistical bulletin for April 1998 to June 2007, demonstrate that less than one third of 18- to 24-year-olds and just 20% of over-25-year-olds moved off the scheme into unsubsidised employment during the past decade. We should draw the efficiency and effectiveness of programmes such as New Deal to the attention of the Executive.

Lessons can, of course, be learnt from public-procurement research, which indicates that Government procurement can play an active and effective role in tackling patterns of socio-economic disadvantage.

Working-age economic activity is defined as people who are either in work or on jobseeker's allowance. By

that definition, about 67% of Catholics and 76% of Protestants are economically active. The official unemployment figures show that 6% of Catholics and 3% of Protestants are unemployed. The top 20 areas of greatest deprivation straddle both the Shankill and the Falls. Those patterns of disadvantage, which affect both communities to various degrees, will require real and meaningful strategies to ensure that the Executive's commitment to tackling poverty and addressing social need is fulfilled.

Mr McNarry: Will the Deputy First Minister give way?

The Deputy First Minister: I am not sure whether I can give way during my response.

Mr McNarry: Is he willing to give way?

The Deputy First Minister: I am.

Mr McNarry: I am grateful to the Deputy First Minister for giving way.

Will he clarify that he is speaking to the motion on behalf of both himself and the First Minister? Does he agree that it is time that all Ministers who are responding to motions give a clear indication as to where the Executive stand on the issue that is under debate? I say that with due respect to the Deputy First Minister; everything that he is saying today is interesting and reportable, and will be well read in the Hansard report. Nevertheless, we debate motions without a clear indication from the Executive as to where they stand on issues. It would be most helpful for Members if they had clarity on those matters.

The Deputy First Minister: Everyone knows and understands that when Ian Paisley or I speak to a motion such as this, we both speak for the Office of the First Minister and the Deputy First Minister (OFMDFM). Therefore, I am speaking for the First Minister in this debate. I hope that my contribution to the debate will give a clear indication of how we, as an Executive, intend to move forward and deal with the vital issues that concern the whole of our community.

The problem of disadvantage is even more acute for women and people with disabilities. Typically, the economic inactivity rates for women are higher than those for men. Both Catholic and Protestant women experience the highest economic inactivity rates, at 42% and 29% respectively. We must look specifically at the barriers that face women in the area of socio-economic disadvantage, because if we do not, the gap will continue to widen to the detriment of us all.

The barriers in accessing the labour market for people with disabilities are reflected in the fact that the majority of disabled people of working age — 66% — are economically inactive. About 14% of households, or one in seven, have no working adults. Clearly, the policy responses to that type of endemic socio-

economic disadvantage will require a range of factors to be carefully considered.

As we all know, the Assembly does not have tax and benefit policy levers at its disposal that could influence the labour market. However, where inward investment, anti-poverty, equality, infrastructure, childcare, transport, tourism, housing, health, education and welfare-to-work policies are concerned, we have the opportunity to make things better for those who face the greatest disadvantage. At a time when the potential for economic growth is at its greatest, it is crucial that we use the economy to tackle inequality and use prosperity to end poverty.

Alex Attwood raised several issues during the debate, one of which was housing differentials. Although there are inequalities in housing — just as there are inequalities across society generally — the key issue is whether those inequalities are a result of discrimination or other factors, and which of those other factors are in our control.

The new-build strategic guidelines, which affect the availability of social housing, are the subject of a separate equality impact assessment, which will take account of religious differentials. Targeted strategies have directed resources towards key areas of housing stress and have promoted housing in north and west Belfast, Derry and other areas.

Alex Attwood and Gregory Campbell raised the issue of community differentials in the Civil Service. Catholic representation has steadily improved at Senior Civil Service level and is close to balancing with comparable parts of the workforce. Balance should be reached by the time of the next review.

We also recognise that progress must be made to address the under-representation of Protestants at administrative and junior management grades. That is a priority, and affirmative action has, and continues, to be taken. We have, for example, commissioned research into why there have been low application rates for males and Protestants.

Danny Kennedy spoke in the debate, although not in his capacity as Chairperson of the Committee for the Office of the First Minister and the Deputy First Minister. In due course, I will welcome the views of that Committee on the important contribution from the CAJ. Danny also spoke of the need for opportunities. I agree; however, currently, those opportunities cannot be accessed by all sections of the population. We must ensure that they can. Even with net inward migration, unemployment levels continue to fall. However, significant numbers of people still face social exclusion.

Jimmy Spratt raised the subject of the CAJ report and suggested that the Office of the First Minister and the Deputy First Minister should not base its policies on it. In order to develop policies to tackle inequality,

we must take account of as wide a range of evidence as possible, including that of the Equality Commission.

Francie Molloy highlighted the lack of investment in the north-west. Although accepting that regional economic imbalances must be addressed, Members must acknowledge that, in the past five years, 50% of all Invest NI assistance was offered to locations in areas of economic disadvantage, as designated by the Department of Enterprise, Trade and Investment. Those areas take in 30% of the population. Inward investment must continue to be directed towards areas with the greatest objective need.

Declan O'Loan asked why I am pursuing the shared-future agenda at the expense of equality. OFMDFM is committed to moving society forward in order to make a real difference to the lives of ordinary people by promoting equality, human rights and good relations and by tackling social need. That is a complex and multi-faceted matter, which is affected by many factors, and which requires a wide range of departmental initiatives and responses. OFMDFM remains focused on the need to end patterns of disadvantage, wherever they exist.

The Executive's work is informed by a wide range of internal and external sources of data, independent analysis and challenges, and we welcome the contribution that the report makes to that debate.

Mrs D Kelly: The motion states:

"That this Assembly notes with concern the report by the Committee on the Administration of Justice 'Equality in Northern Ireland: the rhetoric and the reality'; believes that the numbers of economically inactive Catholic and Protestant households is of particular concern."

What is wrong with that declaration as a motion, or as a fact that Members should recognise? Is the issue really that the unionist parties have difficulty with, and cannot accept, the credentials of the authors of the report rather than its findings?

A Member: That is speculation.

Mrs D Kelly: That is anything but speculation, and many Members have made that clear. Mr McCrea referred to the data and statistics that were used to compile the report. All data in the report came from the Government — from the Northern Ireland Statistics and Research Agency, OFMDFM and DETI. If Members rubbish the report because of the statistics, they rubbish all those Government agencies that provided such data.

Mr B McCrea: As the Member's colleague Mr O'Loan pointed out, the problem was not with the facts but with the conclusions. If the report states that there is no real problem with recruitment, why go on about it? The Member says that there is an issue about housing, yet the Minister for Social Development told the House yesterday that the Housing Executive is a

good organisation. The proposer of the motion has a problem with both matters. Why rely on a flawed report? That is illogical.

Mrs D Kelly: Some of the Member's conclusions are somewhat illogical, and he must have read the report through tinted glasses.

As for the housing debate, the Minister made it clear that she wants to tackle housing for all. A difficulty with equality in housing provision in the North is the failure to share common ground and space on which to build new housing. That difficulty will continue until we learn to live together. The House should show greater leadership in tackling those inequalities.

I am glad that the Deputy First Minister contributed to the debate; he made it very clear to the House that he spoke on behalf of the First Minister and welcomed the CAJ report.

I welcome some of the statistics that were mentioned by Martina Anderson and Francie Molloy. No one is disputing the fact that people who lived west of the Bann, whether Catholic or Protestant, were discriminated against. Indeed, at Westminster, a former leader of the Ulster Unionist Party recognised the discrimination that existed during 80 years of unionist rule, which affected unionist and Catholic communities.

Martina Anderson not only mentioned statistics but tried to lay some of the blame on the former Assembly. The former Assembly had little opportunity to deal with inequality because of the stop-go nature of politics, and it was held to ransom by paramilitaries — most notably by the IRA's failure to decommission.

The report sets out clear challenges and recommends actions on the way to deal with economic inequality. For example, the latest statistics on New Deal — a direct rule scheme that is still exists — show that 18% of Protestants over the age of 25 moved into sustained, unsubsidised employment after completing the programme. The corresponding figure for Catholics is 13%. The equivalent figures for New Deal for 18- to 24-year-olds are 25% for Protestants and 21% for Catholics. Why are the Executive continuing to fund New Deal under the Programme for Government? Why do we not seek a much more effective strategy to tackle economic activity? What is wrong with that conclusion in the report?

'Lifetime Opportunities: Government's Anti-Poverty and Social Inclusion Strategy' states:

"since the introduction in 1998 of the New Deal programme, unemployment in the main New Deal groups (i.e. 18-24 age group and 25+) has reduced. Additional provision is also available through New Deal 50+, New Deal for Lone Parents, New Deal for Disabled People, New Deal for Partners and New Deal for Musicians ...

An additional package of support measures for Lone Parents will be piloted in 4 areas in NI from January 2007 with resources obtained through the Skills and Science Fund. Again, using resources from

this Fund, mandatory participation for those aged 50+ in New Deal 25+ is being piloted so as to provide additional assistance for individuals in this age group to enable them to enter/re-enter the labour market."

Why, therefore, are we even considering mandatory participation in a programme that is not delivering for those most in need? That is setting people up to fail.

Basil McCrea asked why people are not applying for jobs. If he took the opportunity to speak to some of his constituents, he would find that many women are unable to take up jobs because of the lack of affordable childcare. People also lack the skills development and self-confidence that is required to get them to interview stage.

12.00 noon

Look at the anti-poverty strategy. Another finding of the report is that that strategy aims:

"To target 75% of first time inward investment projects towards disadvantaged areas, to ensure that all areas can benefit from sustainable economic growth and high value added employment."

If the target is 75%, what is the current level? The current level is 75%. Why are we continuing to set a target that has already been achieved? Why are we not setting much more challenging targets for economic growth through investment? The target must be set much higher, and agencies and others have to be taken out of the comfort zone.

Mr Gregory Campbell claimed that the report made no reference to public-sector differentials. Chapter 2 of the report is totally focused on that particular aspect, specifically referring to the under-representation of Protestants on Derry City Council and in the health and education sectors generally.

Mr McCarthy claimed that the CAJ report wanted to move away from objective need. In fact, the whole premise of the report is that we need to act on the basis of objective need. It is also clear that the authors of the report are saying that New Deal is failing both communities.

The report sets clear challenges for the future. Although the Deputy First Minister has clearly stated how committed both he and the First Minister are to promoting equality and a shared future, the time has come — some six months later — for decisions to be taken. Decisions have to be made, and the Executive and the Ministers must take responsibility and take the lead in embedding anti-poverty and shared future policies, and in tackling economic inactivity and delivering on social inclusion for all the people.

Mr McNarry: That is a — *[Interruption.]*

[Laughter.]

Mrs D Kelly: Do you think so? I have not finished with you yet. I was just checking that the Members opposite were still awake; it had gone silent for a while.

There is no reason why this report cannot be adopted by the Assembly. Some Members may not like the messengers, but that does not mean that the message is wrong. There are clear challenges, and also guidance that the Executive can follow in the coming weeks and months.

The SDLP welcomes the First Minister and the Deputy First Minister's acceptance of the report. I look forward to hearing, at the Committee for the Office of the First Minister and the Deputy First Minister, how the First Minister and the Deputy First Minister are going to deliver on some of their commitments in the forthcoming Programme for Government and the interim Budget.

Question put,

The Assembly divided: Ayes 40; Noes 43.

AYES

Mr Adams, Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Doherty, Mr Durkan, Ms Gildernew, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Dr McDonnell, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McKay, Mr Molloy, Mr Murphy, Ms Ni Chuilin, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mrs M Bradley and Mr Burns.

NOES

Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Rev Dr Robert Coulter, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Mr Elliott and Mr McQuillan.

Question accordingly negatived.

12.15 pm

Mr McNarry: On a point of order, Mr Deputy Speaker. Party Whips were informed at 11.50 am that the Minister of the Environment's statement on the Titanic Quarter, which had been scheduled for 12.30 pm, has been put back until 2.00 pm. I must express my appreciation for the advance notice. I am sure that

the Minister has good reason to postpone her statement. However, to do so plays havoc with Members' schedules, particularly on a Tuesday, when Committees are in session. Mr Deputy Speaker, I ask that you raise the matter with the Speaker on the basis of respect for the workings of the House and its Members.

Mr Deputy Speaker: I have noted the Member's comments. He may wish to raise the matter with the Business Committee, which, as Members will be aware, has arranged to meet immediately upon the lunchtime suspension.

I, therefore, propose, by leave of the House, to suspend the sitting until 2.00 pm. Members should note that that is a change from the indicative timings that were issued. The sitting will resume at 2.00 pm.

The sitting was suspended at 12.18 pm.

*On resuming (Mr Speaker in the Chair) —
2.00 pm*

MINISTERIAL STATEMENT

Planning Application for Development at the Titanic Quarter, Belfast

The Minister of the Environment (Mrs Foster): I am delighted to announce that outline planning permission is to be granted for phase 2 of the Titanic Quarter development.

I am particularly pleased that a major planning application was processed in such a timely and efficient manner. The application was received at the turn of the year, validated in January, and has now been approved. That was possible because extensive pre-application discussions took place between the Planning Service and the co-promoter, Titanic Quarter Ltd and Belfast Harbour Commissioners. That work ensured that a good-quality application was submitted, and that it included the necessary environmental information.

In addition, throughout the processing of the application, my planners and the developer were in continual contact to ensure that issues were dealt with as they arose. That demonstrates, once again, that when an applicant submits a high-quality proposal, and works with the Planning Service, a timely result can be produced.

I congratulate all those who were involved in both the private and public sectors and, in particular, my own planners in the Belfast divisional planning office and strategic projects unit, who all worked together to make this result possible.

The proposed development is the largest application that has ever been dealt with by the Planning Service. It will provide approximately 3 million sq ft of new floor space in the centre of Belfast. It is a mixed-use development that will provide some 2,000 residential units, including both social and affordable housing. The development will include a mix of employment, leisure and tourism uses, with the latter centred on the Titanic signature project, which will showcase Belfast's maritime and industrial heritage. The development of the 16.5 hectare site, including the restoration of the Titanic and Olympic slipways, represents a further step in the development of the city.

A new quarter is being created close to the city centre that will not only be a source of employment, but will represent a very attractive living environment. As such, the project will be a means of drawing people back to live in the city and help to halt the decline in Belfast's residential population. The development will provide a

significant contribution to the economy and the building industry, and will deliver long-term economic benefits to the whole of Northern Ireland. Today's announcement is a further indication that Northern Ireland really is leaving its troubled past behind and is now very much open for business.

Mr Weir: I congratulate the Minister on her statement, which is good news for Northern Ireland in general, and for Belfast, in particular. There have been worries, in the past — and accusations — that, sometimes, important planning decisions have been held up for a long time. The timely nature of the Minister's announcement, and the relatively quick time in which the project has been turned around does credit to the Department of the Environment. Can the Minister offer assurances that other such announcements will be dealt with in a timely fashion?

Mrs Foster: I hope that today's announcement is indicative of the way in which my Department and I, with our strategic unit, will progress. The planning application for phase 2 of the Titanic Quarter was the largest planning application ever submitted to the Planning Service. We hope to send a strong signal to potential investors in Northern Ireland that we can deal with applications of that magnitude, that we are capable and fit for purpose, and that we want to work closely with developers.

I wish to pay tribute to the developers because they engaged for a number of months with the Planning Service before submitting their application. The quality of that application meant that it could be dealt with very quickly.

Mr Ford: I add my congratulations to those of Mr Weir. This is extremely good news for people throughout Northern Ireland.

I have two questions for the Minister. First, she emphasised the timescale within which the application has been approved. However, can we be sure that, with 2012 being both an Olympics year and the centenary of the Titanic, we will maximise the tourism benefit of the scheme by that date? Secondly, in the context of the 2,000 residential units, will she work with the Minister for Social Development to ensure that the affordable and social housing is integrated, both geographically in the site and socially among the different groups in the community?

Mrs Foster: I thank the Member for his questions. In response to the latter, I am happy to work with the Minister for Social Development; indeed, she has already made approaches to me about the matter of social housing. This is an outline planning application, and therefore the reserved-matters application will follow. I am quite happy to work with the Social Development Minister in that regard.

As for the 2012 Olympics, my Department has shown that it is ready to play its part by the way in which it has turned this matter around. I hope that other Departments will follow suit. Of course, we all await the outcome of the bid for lottery funding, which we hope will be successful.

Mr Wells: Does the Minister agree that this is excellent news? The project is a classic brownfield-site development, involving the reuse of existing resources. Will she also accept that the announcement represents a remarkable achievement by strategic projects division, in that a complex application has been brought through the system at amazing speed? No doubt, announcements over the coming weeks will lead to a flood of planning applications. Will the Minister assure the House that she will continue to use that unit so that important regeneration projects of a regional scale will be brought through the system as quickly as possible to ensure that Northern Ireland remains at the forefront in attracting inward investment?

Mrs Foster: Those regional projects are precisely the type of scheme in which I want the strategic projects division to be involved. That will send out a clear signal to potential investors that Northern Ireland is ready and open for business.

I take on board the Member's comments about the reuse of a brownfield site. The project is innovative, and I hope that Members will have a chance to look at the plans. I also have some very good graphics of what is planned for the Titanic Quarter. This is a very exciting time for that area, and for the whole of Northern Ireland.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle, agus comhghairdeachas don Aire. I thank the Minister for her statement. I commend the work that the Planning Service has done on the development in conjunction with Titanic Quarter Ltd and Belfast Harbour Commissioners. Will the Minister assure the House that the Planning Service will act in the same manner in respect of developments in other parts of the city of Belfast, including the greater Castle Street area and other areas close to the north and west Belfast gateways, which, hopefully, will be included in the Belfast master plan?

Will the Minister also assure us that Belfast city centre is not being moved eastwards to the detriment of its current centre? We do not want to see the current city centre on the fringes of a great Titanic Quarter.

Mrs Foster: I am happy to tell the Member, who I know is also a Member of another place, that part of the good work of the planning application was the partnership approach that was adopted. Belfast City Council has been very much involved with, and supportive of, the planning application. That was most encouraging to the Planning Service and to the private-sector partners.

As for other developments in the city of Belfast, I think that I know to which one the Member refers. I ask him to take the opportunity to write to me about it. I understand, from my limited knowledge of that application, that it is a matter that cross-cuts with DSD (Department for Social Development). I am happy to look at that matter, if the Member wants to raise it with me.

Mr McKay: I welcome the fact that the application has been processed in a timely and efficient manner; it shows that the matter has been approached professionally. Will the Minister assure the House that the same openness, transparency and professionalism will be shown in dealing with all planning applications, particularly the one in respect of the Giant's Causeway visitors' centre?

Mrs Foster: I wondered how long it would take for the visitors' centre to be mentioned — I have not been disappointed. Article 31 applications are now subject to that procedure, and I intend for all those applications to come before the House. Similarly, when I have made up my mind on the Giant's Causeway application, I will appear before the House.

PRIVATE MEMBERS' BUSINESS

Sustainable Development and Climate Change

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

One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes for the winding-up speech.

Mr B Wilson: I beg to move

That this Assembly recognises sustainable development, in general, and climate change, in particular, as central to its considerations in all relevant areas of government, including opportunities to use local economic and technological innovation strategies to place Northern Ireland at the forefront of the emerging green economy in Europe.

The Assembly has both a responsibility and an opportunity to introduce measures to address climate change. We must ensure that this part of the UK plays its part in meeting the challenge set out in the Stern Report, which suggested that climate change threatens to be the greatest and widest-ranging market failure ever seen.

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

Our objectives must be to facilitate Northern Ireland's transition to a low-carbon economy and to create a region that is resilient in the face of three of the most serious global issues: the environmental challenge; the energy security challenge; and the economic challenges and opportunities that climate change, energy security and a low-carbon economy present.

The Green Party's vision for a low-carbon economy extends across all Departments. Every sector and every citizen can understand it, embrace it and contribute to that vision. It is essential that the Executive introduce a climate change Bill in response to the UK's draft climate change Bill, which was published in March 2007. A regional Bill would set out Northern Ireland's plans to integrate fully energy security, climate change and sustainable development into every Department's responsibility. The Office of the First Minister and the Deputy First Minister (OFMDFM) would oversee that.

My party supports the establishment, under the auspices of the Sustainable Development Commission, of a high-level climate change and energy task force, with NGO participation, to advise OFMDFM on the contents of any regional climate change Bill and to monitor progress across sectors that include the Government estate, procurement, and staff transport schemes.

The Green Party proposes a minimum of 60% reduction in greenhouse gases by 2050, and that should include provision for annual targets and reports on performance and the measures taken. Moreover, we call for the introduction of a carbon-trading scheme across the Northern Ireland Civil Service. Such a scheme would ration the ability to pollute. Individual officers and sections would be forced to cap and trade permits if they wished to exceed annual allocations. That would assist the public sector in reaching its goal of becoming carbon neutral by 2015.

Sustainable development does not simply involve environmental considerations. It has profound economic and social impacts and opportunities, and those must be taken into account. Northern Ireland has a growing economy that has changed from heavy industry to service industries. Energy consumption, especially of natural gas, is rising. We are at the end of a very long natural-gas pipeline, and both security of supply and cost make us vulnerable.

Northern Ireland is one of the most car-dependent regions not only in the UK but in Europe. Electricity generation is predominantly fossil fuel-based. However, Northern Ireland, together with the rest of Ireland and Scotland, has some of the best potential for renewable energy development, particularly from on- and offshore wind and wave energy.

The Executive need to show leadership in tackling climate change and ensuring energy security through the use of renewables, as the coalition Governments in the Republic and in Scotland have done; members of the Green Party and the Scottish Green Party have played a leading role.

2.15 pm

Mr S Wilson: I noticed the Member's comments about renewable energy. Does he not accept, however, that some of the greatest opponents of wind farms are members of the Green Party? They object to such farms being set up offshore, for example, because of the effects that they have on wildlife. On the one hand, the Green Party claims to promote renewable energy, but when such projects are proposed, its members are the first to jump up and down.

Mr B Wilson: I take the Member's point. Some members of the Green Party take that attitude, but officially, and as far as I am concerned, the more important priority is to create energy security through renewables.

Unfortunately, our planning system does not seem to be responding to the challenges and opportunities that the development of an indigenous renewable energy industry affords. Some wind-farm planning applications have been waiting for approval for up to four years. That is unacceptable, and I ask the Minister of the Environment to expedite those applications. Given the

seriousness and urgency of the need to respond to climate change and to ensure energy security, the planning process needs to facilitate, rather than hinder, the development of renewable energies such as wind and biomass. Planning guidance should be drawn up to facilitate and encourage the greater deployment of renewable energy.

The Executive can help to develop the use of renewable energy in other ways. For example, research and development on renewable energy should be at the heart of both universities so that they become centres of excellence. Initiatives such as Queen's University's institute for a sustainable world, which has a strong focus on renewable energy, should be welcomed.

We should consider introducing an integrated all-Ireland energy policy based on renewables. The developing single market in electricity should be structured in such a way as to allow renewable energy sources to integrate fully. The 2020 vision study, which is currently being managed by Action Renewables, will review the renewable energy potential of the two electricity networks and consider how that can be developed in the coming decade.

We should also support those in Northern Ireland who carry out pioneering work in renewable energy: Thermomax in North Down provides tubes for solar heating; Copeland provides scroll compressors for most of the heat pumps that are sold in Europe; Newmills Hydro makes hydro turbines and exports them across the world; and B9 Energy Services is the third-largest wind-farm company in the world. Harland and Wolff is a leader in tidal energy and wind turbines. Those companies are under threat from competition in the Far East and will need to continue to put efforts into research and development in order to maintain their position as world leaders, and we should help them to do so.

We should also be looking at newbuilds to encourage developers and home builders to make greater use of renewable energy. New homes should be constructed to the highest energy efficiency standards, with renewable energy integrated to provide heat and power where possible. We can learn from the recent initiatives in the Republic — my party colleagues John Gormley and Eamon Ryan recently introduced legislation that requires greater energy efficiency in newbuilds. Similar green building regulations need to be implemented in Northern Ireland.

We should also ensure that Government and the Assembly take the lead on a programme of renewable energy installations on the Government estate. The Northern Ireland Executive must walk the talk on renewable energy.

The SIB (Strategic Investment Board) is spending billions of pounds on buildings such as schools and other public facilities that will be around for the next

50 to 100 years. Now is the time to ensure that the SIB's board includes experts and champions of sustainable development and low-carbon technologies, most notably those in the building sector.

The scale of the public sector in Northern Ireland is such that change exerts a massive influence on supply chains through staff and families in the region.

Significant opportunities exist for Northern Ireland to champion the UK's sustainable procurement programme in the public sector and to act as a location for experimentation.

The implementation plan for our local sustainable development strategy requires integration, regular monitoring, and clear targets across Government as a whole. Climate change is a key theme throughout the UK and Northern Ireland sustainable development strategies, and tackling it provides a practical way in which to make sustainable development real.

Although Government must take a lead on sustainable development and tackling climate change, they cannot do everything. The business and the community and voluntary sectors have an important role to play. For example, the Government and the voluntary sectors have a partnership role to fulfil in advising local councils and Government bodies on the implementation of sustainable development programmes.

In conclusion, the Green Party calls for the entire Executive to take ownership of the energy-security and climate-change agendas and of response mechanisms. It is a popular Green saying that we do not inherit the earth from our parents but borrow it from our children. For the sake of our children and grandchildren, we must move quickly if we are to provide clear leadership on sustainable development in Northern Ireland and make the transition to a low-carbon society.

Mr McGlone: I beg to move the following amendment: After "Europe", insert

"; calls for the full implementation of 'First Steps, the Sustainable Development Strategy for Northern Ireland'; and calls on the Executive to ensure that environmental commitments on sustainable development and tackling climate change are mainstreamed in the Programme for Government".

Go raibh maith agat, a LeasCheann Comhairle. I thank and pay tribute to Mr Wilson, both for tabling the motion and for his comprehensive contribution.

Climate change and the need to grow in a sustainable way are two of the most immediate global challenges that we face. The intention of the amendment, which I believe supports the motion, is to ensure that urgent action be taken to mainstream the principles of sustainable development and the need to tackle climate change throughout Government. The best way in which to ensure that that happens is for all relevant Departments to have dedicated commitments in the Programme for Government. We should build on the good initiatives

that we have in the North, such as the environment and renewable energy fund, in order to establish the North as a leader in green energy.

Sustainable development has been defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

That principle is at the core of the SDLP's thinking and ideology. Sustainable development is a big idea that is underwritten by our biggest ambitions. It is a concept, the realisation of which will require from all people, at all levels, the most fundamental of social, economic, environmental and cultural shifts.

The challenge of sustainable development provides us with fundamental choices. We must choose between embracing the ideals of sustainable development and rejecting them; between respecting what we have, what we want and what we owe to others and refusing to meet our responsibilities; and between closing the gap between rich and poor and widening it further, which would destabilise this world and further disadvantage so many of its citizens. We must set about transforming sustainable development from being honourable in its intentions to tangible in its achievements.

The sustainable development strategy, 'First Steps towards Sustainability', was launched under direct rule in May 2006. It provides a way forward, but we have many questions to ask of it. What are the roles of the departmental sustainable development champions? How many times have they met? What achievements have there been? How close are the Government to meeting their targets? Are we educating our young people on sustainable development? How are the principles of sustainable development getting through to people on the ground? Effective implementation and leadership from Government are needed so that the principles of sustainable development can be enshrined in all aspects of Government policy-making and factored into the choices that we make daily.

The wider community must be engaged in order to ensure that local businesses, local government, the voluntary sector, and the public all play their part. Meaningful sustainable development actions and targets must be monitored and met. Cross-departmental working is required on all those issues. Government must take the lead in promoting sustainable development in all their strategies, but particularly in their transport and energy strategies. In fact, where better to mainstream sustainable development than in the Programme for Government?

As we see from media reports, evidence of man-made contributions to climate change is everywhere — the scientific evidence is overwhelming. Average worldwide temperatures have risen by more than 0.6°C in the past century. Around the North, sea levels are rising to the

extent that they are now about 10 cm higher than they were in 1990.

If there is a failure to act, the consequences of climate change will be devastating locally and catastrophic globally. Sustainable development and combating climate change are not merely about meeting global commitments but about ensuring that a viable planet remains for future generations — a point that Mr Wilson made most articulately. Therefore, the Government must ensure that the concepts that I have outlined are deeply enshrined in policy-making, and the best way for that to be done is through the Programme for Government.

Alas, a LeasCheann Comhairle, we live way beyond our environmental means. I ask the House for its support. Moliam an leasú.

The Chairperson of the Committee for the Office of the First Minister and the Deputy First Minister (Mr Kennedy): I am pleased to speak in a debate that provides a welcome opportunity to highlight the importance of sustainable development. In 2006, the Secretary of State published 'A Sustainable Development Strategy for Northern Ireland: First Steps Towards Sustainability' and 'A Positive Step: Northern Ireland: A Sustainable Development Implementation Plan'. My Committee has an interest in the subject because, since the summer of 2006, the economic policy unit in OFMDFM has been responsible for taking the lead on the co-ordination of a cross-cutting policy on sustainable development.

To date, the Committee's engagement with OFMDFM has focused on work to produce a set of sustainable development indicators. I will concentrate my remarks on those indicators, because the Executive will use them when they report publicly on progress towards sustainable development in Northern Ireland.

The Committee welcomes the proposal to produce a clear set of indicators that will enable actions to be monitored and information to be made widely available on how good, or not, progress is towards the targets. Many of the proposed indicators will facilitate a comparison with the indicators used to measure sustainable development in the UK. That will enable any progress to be benchmarked against that of the UK.

The wide range of indicators covers areas such as: community relations; economic well-being; the sustainability of rural communities; the amount of waste sent to landfill sites; water consumption; greenhouse gas emissions; air quality; and biodiversity. That holistic approach, which reflects the fact that sustainable development is about more than purely environmental issues and concerns, is appropriate and necessary. That is backed up by the fact that OFMDFM, rather than the Department of the Environment, now has responsibility to support the strategic oversight of the implementation of the strategy.

When the Committee examined the proposed indicators, it considered information on the Northern Ireland sustainable development position since 2001-02, and the picture is not good. Most indicators show either no improvement or a worsening of the position. Significant actions and improvement are required in order for Northern Ireland to become more sustainable. Some areas have improved: for example, the amount of municipal waste going to landfill sites has decreased by 10% since 2001; the recycling and composting of waste has more than doubled; and air quality is generally good, and it is improving.

In other areas, the picture is bleak. There has been little change in the use of different modes of transport. The Northern Ireland population's heavy reliance on private cars for travel has clear implications for longer-term sustainability. The amount of fossil fuels being used to create energy has not changed much. Fewer rivers are of good biological quality now than in 2000. Although the population of common wild birds is increasing, many rare bird species are in decline.

Although some 35% of the population live in rural communities, rural residents — and particularly pensioners — often live in greater poverty and have to travel much further to avail of essential services such as dentists, doctors and clinics.

2.30 pm

Also of concern is the fact that although a percentage of the population is aware of the phrase "Reduce, reuse, recycle", awareness of the concept of sustainable development and what individuals can do to make a difference is low. Although it is necessary to have in place strategies, action plans, indicators and monitoring arrangements, they are a means to an end — action is what is important.

My Committee will closely monitor OFMDFM's performance on both the delivery of the action points for which it is responsible and its support for the overall implementation and communication of the sustainable development strategy. The other statutory Committees also have an important role to play with regard to their Departments, and we have written to them to encourage them to put monitoring arrangements in place. We broadly support the motion.

Mr Moutray: I support the motion and the amendment.

The global surface temperatures in 11 of the past 12 years have been among the warmest since the mid-1800s. Over the past 50 years, the rate of warming has been nearly twice that of the previous 100 years, and man bears a great responsibility for a proportion of that. There is far more carbon dioxide in the atmosphere nowadays. Carbon dioxide does not dissipate quickly; it remains in the atmosphere for about five decades. There is also more water. However, that is not the case

everywhere. While there has been more precipitation in parts of North America, South America, northern Europe and elsewhere, places such as the Mediterranean and southern Africa have become drier.

The sea level is rising. Indeed, geological observations suggest that the rise in the sea level over the past 2,000 years was less than that occurring at present. If the sea level continues to rise at the current rate, places such as the Maldives, 99% of which is 1.5 m above sea level, will disappear. Glaciers are melting, and the Arctic is warming. More and more animal species face the threat of extinction. Those facts cannot be ignored.

The reason why man-made greenhouse effects are such a problem is that, in the long term, the earth must remove energy at the same rate that it receives energy from the sun. A thicker blanket of greenhouse gases serves to reduce the earth's ability to do that, which results in a warming of the climate. The ramifications are stark, and among them are the long-term risk of higher temperatures and a warmer atmosphere retaining more water, resulting in heavier rain, higher winds and less drinking water. Higher temperatures will also mean that disease-carrying insects will have a much wider distribution area, as the recent bluetongue scare demonstrated.

I know that other Members will want to mention other relevant facts about this matter, so I will move on to sustainability. Sustainable development has been described as development that is designed to meet the needs of the present without compromising the ability of future generations to meet their needs. Future vulnerability depends not only on climate change, but on the type of development that is pursued. Sustainable development can reduce the world's vulnerability. However, if we are to improve seasonal climate forecasts, food security, freshwater supplies and famine alerts, early action is necessary — not talk, resolutions and good intentions. To delay is to put us all at further risk.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I welcome the debate, and I thank Brian Wilson for bringing the motion to the House. I support the motion and the amendment.

Sinn Féin recognises that sustainable development represents social progress for everyone, high stable levels of economic growth and employment, effective protection of the environment and prudent use of natural resources. To achieve that end, we must also be mindful of the need to conserve biological diversity, and such diversity must be fully integrated into our policy-making.

Climate change must remain at the top of the political agenda. As it is a key theme throughout the sustainable development strategy, there is a clear need for climate change targets to be broken down for Departments and public authorities in such a way that they are left in no doubt as to their roles and responsibilities. In addition,

monitoring and assessment will be vital if we are to ensure that Departments and public authorities take sustainable development seriously and that the targets that have been set out are met. Sustainable development should be a cross-cutting theme in the Programme for Government.

My party believes that the Executive should develop a separate Bill that sets statutory targets informed by Department of Enterprise, Trade and Investment research. The Bill should include a mechanism for reporting to the Executive and the Assembly. Furthermore, the Department of the Environment should be encouraged to explore the development of an all-Ireland approach to climate change. Sinn Féin believes in the setting of carbon-reduction targets. However, those targets should await the results of, and be informed by, the Department of Enterprise, Trade and Investment's research.

Although carbon emissions have been decreasing elsewhere, they have been increasing here. We need to understand why that has happened and how we can deal with those increases. The Department of Enterprise, Trade and Investment must break the link between economic development and greenhouse gas emissions, and fulfil its commitment to meet that challenge.

The stated aim of the sustainable development strategy is to establish a set of overarching indicators against which socio-economic and environmental progress can be measured. If we are to make real progress in measuring sustainable development, the strategy must include indicators for employment, workless households, child poverty, pensioner poverty, education, health, inequality and social justice. It is clear, therefore, that sustainable development is not only a green issue but is much broader than that. Social development also plays a large part in assisting sustainable development.

Our current way of life is simply not sustainable, and if we do not address the problem now, the well-being and quality of life of the next generation will suffer greatly. The sooner that we wake up to that reality, the better. Go raibh maith agat, a LeasCheann Comhairle.

Mr Shannon: Global warming is a fact — that is our starting point. The oft-heard joke about the weather in Northern Ireland is that we could do with some global warming, but the issue affects Northern Ireland as much as it does any other place.

Mention was made across the Chamber about the rising sea level. I heard a figure of 9 cm being mentioned, but my information is that it is closer to 10 cm, and continuously rising. I am lucky in that I live on a hill at the edge of Strangford Lough. I am not building a boat, nor do I own one.

In 2005, nine days in December were hotter than any day in the preceding summer. Indeed, we witnessed more changes this summer. There are other seemingly

inexplicable events that are all too easily explained. The fact that we do not have scorching weather all the time does not mean that we will not feel the effects of global warming or, more importantly, that we are not adding to the problem.

That is not new information to the Assembly. None here will be shocked by the statistics. We already have strategies in place to reduce carbon dioxide emissions and to help us begin to rely on renewable energies. A mere 3% of the energy that is used in the Province comes from renewable energy sources. That must increase to 40%, and we have in place the beginnings of works to see that target realised. Northern Ireland has the strongest potential for wind power in the whole of Europe. Although we have begun to explore wind power as a source of energy, we are nowhere near where we could be with it.

Mr S Wilson: Will the Member give way?

Mr Shannon: I am loath to give way to my colleague, because I suspect that he is full of mischief.

Ther er kumpanies whau er makin tha yuis o' tha available power an hae taking steps in makin guid cleen energy. Yin example o' sic aa' firm is Airtricity, whau yuis wun-terbine farms tae mak energy. I signed up the Airtricity maesel fer my constituency oafish in an effirt tae dae whut aa' cud tae help those kumpanies whau er bein environmentally freenly in helping Norlin Airlan. An in tha en aa' hae been tha yin tae benefit – as aa' hae lectic licht an heet which is faur cheaper than tha bills aa' paid oot afore. Followin oan helping oot no only Norlin Airlan environmentally but savin mony as weel.

Companies such as Airtricity, which uses wind-turbine farms, are currently making use of the available renewable power and taking strides in producing environmentally clean energy. I signed up to Airtricity in my constituency office in an attempt to support companies that help the environment in Northern Ireland. In the end, I have benefited, because the electricity supplied to me is cheaper than the bills that I paid before. I am helping Northern Ireland on the environmental stage and saving money, which may have something to do with the Ulster Scot in me.

Farms in Fermanagh are doing an exemplary job in service provision, and the relevant authorities should do all that they can to grant planning permission to businesses in locations that can provide energy from wind turbines. I know that that desire is shared by my colleague Arlene Foster.

Although we must increase our renewable energy output to 40%, it does not all have to be done by wind turbines. My fair constituency of Strangford is at the cutting edge of new technology, while appreciating and making the most of the beauty of Strangford Lough. I am sure that Members are aware of the fact that the

world's largest tidal-current generator is currently being tested in Strangford Lough and that it will have the capacity to generate 1.2 megawatts of energy, which will supply over 1,000 homes with sustainable energy and make the most of our natural capabilities. The test will be carried out for five years and will establish the benefit of the generators, which are submerged some 3 m under the lough and a cable will then run from the generator to a substation.

We are all trying to play our part in electricity provision and are aware of the television advertisement that encourages us to reduce, reuse and recycle. Brown and blue bins abound — over 30,000 of them were issued recently in Newtownards. Children are taught about recycling in schools and in Tesco and other major supermarkets, customers are reminded to reuse plastic bags. The message is reinforced at every turn. It is the duty of the Assembly and departmental heads to ensure that the drive is strengthened and that each Department plays its full part in turning all the plans that have been laid before us into actions.

As always, Northern Ireland has the ability to shine, and it is up to the Assembly to ensure that we shine in this age so that generations to come can enjoy the beauties of the nation in the way that we can today, untainted by global warming and destructive climate changes. I support the motion and, I suspect, the amendment.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I also welcome the debate, and I thank the Member for tabling the motion.

One of the main aspects of combating climate change is the creation of sustainable energy. If we are serious about tackling global warming and climate change, we must consider ways of developing renewable energy sources in Ireland. A key to that is the harnessing of clean, green energy that has the potential to provide a safe and affordable alternative to nuclear energy and inefficient coal-fired power stations. The Kyoto protocol commits the developed world to begin action to combat climate change, and industrialised countries have agreed legally binding targets to reduce their combined greenhouse gas emissions.

Biofuels and wind farms can go a long way towards helping Ireland to meet its carbon dioxide reduction targets. The Executive must consider future investment into hydrogen technology. The fact that the Six Counties is currently partitioned from the South of Ireland is something that the Executive must consider seriously when attempting to address the issues of sustainable development. The situation can create difficulties and present opportunities. We must examine sustainability issues on an all-Ireland basis. We must work with our colleagues in the South's Environmental Protection Agency to develop an all-island ecological

footprint. For example, large companies are currently exempt from complying with EU regulations on carbon emissions. The introduction of legislation, such as a carbon tax, would go some way to regulating companies that pollute the atmosphere.

Government policies in the North seem to promote an increase in the use of incinerators as an alternative to landfills. That approach is neither sustainable nor eco-friendly. We must consider ways of funding the establishment of an all-Ireland waste-management strategy, including an island-wide drive to research and establish markets for reclaimed materials. In order to benefit from economies of scale, while at the same time pursuing our sustainable development objectives, we have to put in place a co-ordinated approach with our counterparts in the South of Ireland. That is particularly true of environmental protection, where issues such as river basin management, air quality, waste and biodiversity do not stop at the border. There is already a good deal of liaison and co-operation in those areas.

Departments, public bodies, district councils, business and the public must all contribute to progress through leadership, product design, exercising their purchasing power to reduce waste generation and developing sustainable markets for their products.

There is no point in taking all our recycled material across the world as it defeats the purpose and the desire of the public to reduce our carbon footprint. The development of new technologies such as gasification and pyrolysis systems, both of which have proven success rates throughout Europe, must now be seriously considered as an alternative way of harnessing our natural resources. Sustainable development is a concept which, because of its wide-ranging and cross-cutting nature, is difficult to define, and even harder to put into practice.

2.45 pm

The most widely known international definition of sustainable development is development that meets the need of the present without compromising the ability of future generations to meet their own needs.

In principle, that involves safeguarding existing resources and using them to enhance the long-term management and investment in human, social and environmental resources in a sustainable way. I reiterate the obvious but important point that pollution does not recognise political borders. Environmental problems cannot be partitioned, so it makes no sense to partition our responses to them. One of the guiding principles of sustainable development is to ensure a strong, healthy and just society. Moving to a sustainable economy will help us to drive forward the social progress needed to reduce deprivation and inequality and to improve the quality of life for everyone while protecting the environment and its resources.

Mr Wells: This is perhaps one of the most important debates that the Assembly will have, yet the turnout is poor. As one would expect, the usual zealots are here. The Deputy First Minister is with us because he has been compelled to be here. There is the odd philistine here too, but, apart from that, who else has turned up?

It is a poor reflection on the importance that the Assembly places on such an issue. Brian Wilson has proposed a motion on sustainable development and climate change, yet few Members are willing to participate in the debate.

If everyone in the world were to use resources at the rate that we in Northern Ireland use them, we would need four planets to sustain ourselves. That is the stark reality. We are using resources in this part of the United Kingdom at a phenomenal rate. Willie Clarke can blame many things for global warming, but I do not think that he can blame partition — that is going a little too far.

Northern Ireland has a greater environmental footprint than many west African countries. We have a smaller population, but we are using energy at a phenomenal rate. Energy use and private transport use in Northern Ireland are rising rapidly. We love our cars. We do not want to drive to the shops — we want to drive into the shops. Unfortunately, the Province's record on sustainability is not good: we pay lip-service to it. We are almost like the gentleman who drives to the recycling centre in his 4x4 vehicle. We like to pay lip-service to sustainability, and when difficult decisions are being made, we are not at the top of the league. We must take urgent steps to reduce our use of the world's resources.

The Stern Report states that if we take steps now, in the long term, it will be the equivalent of reducing our GDP by 1%. That is a cost that we all could, and should, pay. I am happy to pay that cost: I am happy to reduce my living standard by 1% and I think that Members would be happy to do that. I do not think that that is much of a burden to pay.

If we are serious about sustainability, we, as an Assembly and as an Executive, must take some difficult decisions. Sustainability must be our top priority. Therefore, when difficult issues come before the Assembly and contradict that priority, we will have to bite the bullet and accept some sacrifices. It is unfortunate that the Member for Mid Ulster Mr McGlone is absent, because I take issue with a matter that he raised. He pays lip-service to sustainability, yet he is leading the campaign to bring down PPS14.

I seldom quote from a foreign country, but it has been calculated in the Irish Republic that single dwellings in the countryside generate an additional 12 million miles of needless travel per annum. If that figure were extrapolated to Northern Ireland, about two million extra miles of travel would be generated needlessly because of

the proliferation of single dwellings in the countryside. How on earth could anyone who believes in sustainable development say that the answer to our problems is to have thousands more single dwellings in the countryside, with septic-tank problems, the utilisation of resources and the additional mileage all causing increases in greenhouse-gas emission.

Similarly, over the next few years, Members will probably be demanding new super four-lane bypasses around their towns, or a road similar to the Westlink running through their cities. If the choice is between building another Westlink and having greater investment in public transport, we will have to take the unpopular decision to put those resources into public transport.

We have to put our own house in order. The carbon footprint of this Building is enormous; it is one of the most energy-inefficient buildings in the United Kingdom. What is the Assembly doing to address that? Very little. We must not play lip-service to energy efficiency; instead we must take the difficult decisions. The only way that that can be done is as a united Assembly, so that when the flak comes — as it undoubtedly will — it will be aimed at all of us. Members cannot pick and choose what aspects of the environment they want to protect and what aspects of sustainability are acceptable. I will give way to the honourable Member.

Mr S Wilson: I did not ask the Member to give way. *[Laughter.]*

Mr Wells: I am sorry. I was shocked that I had managed to speak for four and a half minutes — on an issue that the honourable Member for East Antrim considers absolute heresy — without his intervening. I was also looking forward to the extra minute of speaking time, which I will not now have.

Mr McCallister: It is great to see such unity in the DUP. Poor old Sammy Wilson is not on message — he did not intervene during Mr Wells's speech. I am very fortunate — *[Interruption.]*

Would Mr Wilson like me to give way?

Mr S Wilson: Yes, but I will wait until the Member says something. *[Laughter.]*

Mr McCallister: I thought that the Member was getting in early.

I, like the previous two Members who contributed, am fortunate to represent the most beautiful part of Northern Ireland, the constituency of South Down. The reliance on the natural environment in South Down is more than a slogan — it is an economic reality. That illustrates why sustainable development cannot be a luxury, because without it our economic future will be harmed.

I take issue with Mr Clarke's comments; he used the usual Sinn Féin rhetoric about all-Ireland solutions. The issue is much bigger than that — it is about Northern

Ireland playing its role in partnership with the rest of the UK and Europe. As Mr Wells mentioned, quite rightly, it is vital that we play our part and take those tough decisions that will not always be palatable.

Sustainable development concerns, perhaps chiefly, our responsibilities and obligations. All of us have a responsibility to maintain our beautiful landscape, economic resources and diverse natural environment for future generations.

Climate change poses the defining political challenge of our generation. The decisions that the Assembly takes will have fundamental consequences for the next generation. As the Stern Review indicates, the economic consequences of continued climate change are incredibly sobering.

The Stern Review states that the economic opportunities created by an appropriate response to climate change are also significant. The business community has already indicated that it is keen to harness the power of enterprise and the market to deliver a green economy. Working in partnership with the business community to that end should form the centrepiece of the Executive's approach to sustainable development and climate change.

Addressing the issue of climate change presents huge opportunities through agrienvironment schemes — the Agri-Food and Biosciences Institute at Hillsborough is doing good work on the issue of renewable energy. Therefore, there are opportunities for the Executive and the Assembly to grasp. Mr Shannon mentioned the tidal project at Strangford Lough. Also important are wind energy and willow biomass, and we can start to use the many other biofuels that can develop and, occasionally, flourish in Northern Ireland's climate. That will create opportunities for the agricultural sector, as well as develop science and technologies to take us forward.

Climate change is an important issue. I agree with Mr Wells that it is sad that there is such a poor turnout for a debate on one of the biggest issues that the Executive and Assembly will face.

I thank Mr Wilson for proposing the motion, which I support.

Mr Spratt: I thank the honourable Member for North Down Mr Wilson for proposing the motion. I am sure that Members agree that sustainable development and climate change are two of the biggest challenges facing the Assembly. As we seek to meet the needs of Northern Ireland in 2007, we must, at all times, remember that our actions now determine how sustainable development and climate change will be dealt with in 2070, and beyond. Critical to that is the protection and management of the environment. The environment is a vital resource, and it impacts on all aspects of life. The economy is also vital. For Northern Ireland to prosper, therefore, it

is important to formulate a joined-up strategy in which the environment and the economy can be nurtured in a way that protects them to the benefit of everyone.

If I were to quote the mass of available statistics on our negative impact on the environment, I would well exceed the five-minute time limit. The effect of greenhouse gases, our changing climate and massive levels of waste are a few of the issues that threaten our sustainable development. However, there are many reasons to be encouraged by the progress that has been made in recent years. Businesses in Northern Ireland are increasingly implementing programmes through which they will reduce their impact on the environment and better manage their waste. Those companies find that they do not suffer financially by implementing those programmes.

More can be done, and as demand for energy increases, we must look at how our energy is produced to see whether our indigenous renewable resources are being utilised. It is pleasing that we, as representatives of Northern Ireland, can boast that Northern Ireland is at the cutting edge of developing renewable technology, and examples have been mentioned. Such initiatives as the technical advisory unit, which can assess the energy that is used and waste that is produced by businesses, are welcome, as is the green technology initiative. We must encourage the take-up of such initiatives as they can be of help to the financial well-being of those involved.

As we strive to make the Northern Ireland economy competitive on a global scale, we must ensure that, as its economy grows, it is environmentally sustainable. There will be occasions when there will be direct conflict between the environment and important economic decisions that will be vital to our economic development. Sometimes, there will be tough but necessary decisions to be made that may well put environmental issues secondary to matters relating to the competitiveness of Northern Ireland's economy. The Assembly must acknowledge that that will be the case, and, in some instances, Members must make hard decisions.

The House should unanimously endorse the motion. The economy and the environment are inextricably linked, and as we move to make our economy prosper, climate change should be in the forefront of Members' minds to ensure sustainable development for many generations. I support the motion and the amendment.

Mr S Wilson: In the three previous debates in which I have attempted to speak — during which, unionists have been in the Chair — I have not been called. Therefore, Mr Deputy Speaker, I must thank you for calling me. I want to break a wee bit of the cosy consensus that has arisen in the House today. I suppose that some of the greens will be seeing red by the time that I have finished.

There have been some assumptions made during the debate. For example, it has been said that the scientists who say that we are heading towards irreversible and disastrous global warming are to be believed.

There is a significant body of scientific opinion that states the opposite. That has not been mentioned.

3.00 pm

When I was at school, I won a prize for writing an essay on the horrors of global cooling and the impending ice age. The scientists of that time told us that the same gases that are now being blamed for heating up the earth were going to cool it, because the heat of the sun could not penetrate them. We are now being told that heat cannot escape. There has been a complete turnaround in 40 years. There is an assumption that only one set of scientists is right, even though there are others who are not in agreement with them.

The second assumption is —

Mr Ford: I presume that the Member will be able to show the House a detailed, peer-reviewed paper in a respected scientific journal that validates the point he has just made, since he is so certain.

Mr S Wilson: If I had more than 10 minutes, I would bore Members stiff with scientific evidence, but I want to get to the contradictions that I have heard in the House, which are more important.

Secondly, we are told that there is global warming, and that a catastrophe is about to happen, but the figures for the last 100 years show temperatures have risen by about 0.5°C. That is completely in keeping with the cycles that have been recorded in the past. It must not be forgotten that, 600 years ago, grapes were grown in the north of Scotland because the climate was so warm, and 200 years ago, people were able to skate on the river Thames in the winter because it was so cold.

We have been told today that people will have to totally change their lifestyles; that all kinds of taxes will have to be imposed on the public; that house building will have to change to make homes more eco-friendly, which builders reckon will add £40,000 to the price; that our whole investment pattern will have to change, as will the way in which we produce goods; and, as Mr Wells said, that world GDP will have to reduce by 1%, according to the Stern Review. On the other hand, some countries will have to be compensated, while others will have to make a much bigger contribution. Therefore, those figures are slightly misleading in respect of the impact on the developed world.

Let us quickly look at the contradictions, one of which I mentioned to Brian Wilson. On one hand, the environmentalists tell us to use more environmentally friendly ways of producing energy; on the other, it is feared that if we use wind power, seals or fish may get

sucked into the turbines. When windmills are discussed, one opposition is that birds could be cut to pieces, and that, because they have to be on prominent sites, there is also a negative visual impact. As well as that, because wind power cannot be stored, it has to be backed up by expensive power stations fuelled by coal, oil, gas or nuclear power, because wind cannot be guaranteed when consumption is at its height.

Mr McGlone talked about sustainable development and how we should build houses in a way that would use the least energy for transport and infrastructure, but he supports people who want to build houses in the middle of the countryside. Not so long ago, the Assembly supported calls for affordable housing, but today a policy is being called for that will add £40,000 to the price of a house. Those are the type of contradictions that have been heard during today's debate, and in various other debates too.

There are simple things that can be done, and of course we should seek alternative sources of energy. We should not be dependent on high-risk and politically unstable areas, so alternatives must be sought. However, if we were to discuss nuclear power as an alternative method of producing power, I imagine that the proposer of the motion would be bouncing down the aisles of the House at the very thought. Nevertheless, that is one way of having energy diversity. I wonder whether the Assembly will consider it.

Mr Savage: I support the motion and the amendment. During the past 20 years, there has been a growing realisation that the current model of development is unsustainable. We are increasing the burden on our planet through lifestyle choices. The level of stress on resources and environmental systems such as water, land and air cannot be maintained, and, therefore, a process of sustainable development is required. A widely used and accepted international definition of sustainability is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. We must be mindful of the generation coming after us.

In 2006, the then Secretary of State, Peter Hain, launched 'A Sustainable Development Strategy: First Steps Towards Sustainability', and the need for that report is evident today. The targets set out in the strategy could be achieved by encouraging and supporting the development of new industry, and renewable and alternative sustainable energy technologies. Targets could also be achieved by supporting projects to facilitate research into renewable energy technology. The Government were expected to develop their long-term approach to renewables continually and to ensure that the technology was available to encourage confidence and promote investment and innovation in cutting-edge sustainable energy technology.

My party believes that looking after our environment requires robust initiatives and policies. Good stewardship of the rural environment needs a partnership among the Executive, the Assembly, local government, local communities, and the business and agriculture sectors — a partnership in which commitment to a clean and healthy environment contributes to our quality of life.

Northern Ireland has a responsibility to work with the rest of the United Kingdom to address the environmental challenges that face our generation. The pressing and urgent challenge of climate change does, of course, require international initiatives. However, it also needs local action. Stewardship of Northern Ireland's environment is the responsibility of us all, and protecting our environment will secure opportunity and well-being for everyone.

It has been claimed that Northern Ireland has experienced some of the effects of global warming. Evidence for such a claim includes the fact that nine of the 15 warmest years recorded since 1841 have occurred since 1990. In 2005, for instance, nine days in December were hotter than in the preceding summer. The average sea level is now about 10 cm higher than it was in 1900, and over 40,000 properties are currently at risk of river flooding.

The 2006 Stern Review outlined a number of conclusions on climate change. It claimed that if immediate action were taken there would still be time to avoid the worst impacts of climate change. It argued that, through analysis of the research, one simple conclusion could be reached:

"the benefits of strong and early action far outweigh the economic costs of not acting."

The review estimated that the cost of ignoring the problems posed by climate change was significant; indeed, it would be the equivalent of losing at least 5% of global GDP each year, now and for ever. If a wider range of risks and impacts were considered, the estimates of damage could rise to more than 20% of GDP.

Sustainable development has wide-reaching effects. The time has come for the Assembly to give a lead in how we should proceed.

The Deputy First Minister (Mr M McGuinness): Thank you, a LeasCheann Comhairle. I have listened with great interest to what has been a varied debate. I assure the Member for South Down Mr Wells that I do not feel that I am a Minister compelled to be here to respond to the debate. I have a tremendous interest in this issue.

Aside from being "compelled" to come here, it was worth coming along just to hear Sammy Wilson in full voice. I have a friend from the Creggan Estate called "Knocker" Tierney. Following Sammy's defence of nuclear power, it would be apt to name him "Nuker" Wilson.

The points raised during the debate have highlighted how sustainable development impacts on a wide range of areas relevant to Government. Brian Wilson has done us a service by tabling the motion. The content of the motion, and some of those points raised, cover areas that are within the remits of individual Ministers. The Office of the First Minister and Deputy First Minister has the lead responsibility for sustainable development, and it is for that reason that I am responding to the motion. However, I am not in a position to give detailed responses to specific points relating to areas that are the responsibility of other Ministers. Therefore, I will confine my remarks to matters of a strategic or Executive nature.

The sustainability agenda attracts greater interest, at all levels of society, on an almost daily basis. Climate change has become a global concern and features predominately in the media. People here are fortunate to live in such a magnificent and varied environment, with a wealth of species and habitats. I am sure that Members would take issue with John McCallister's claim that south Down is more beautiful than the Sperrins, North Antrim, the lakes of Fermanagh or the walls of Derry. They are all significant assets, which help to define us and drive local economies by creating tourism and jobs. However, we cannot take all that for granted.

As in other parts of these islands, as Daithí McKay rightly said, we are losing biodiversity, which must be protected for our enjoyment and because of its importance to our way of life. That loss is one outward sign of the sometimes irreversible damage that we are causing.

The recognition that there is only one planet on which we rely for all our needs and that we are living beyond its capacity to provide for those needs is fundamental to sustainable development. However, sustainable development is about much more than the environment. The consequences and costs of living in an unsustainable fashion are interconnected and straddle the economy, society, and the environment, and this debate recognises that fact.

In this small region, we cannot solve global problems, but we can do something to help by reducing the use of traditional and polluting fossil fuels, seizing the opportunity to promote renewable and cleaner sources of energy and through the development of exportable and innovative technology.

The problems with waste and the need for greater resource efficiency mean that we must consider what we are consuming. Modern lifestyles have led increasingly to ours becoming a throw-away society in which, having invested so much to create new products, almost 70% of household waste is still being sent to landfill. In the long term, individuals must change their behaviour, and people must embrace sustainable living as a way of life. Demonstrating that by our actions and through

the educators and the education system has huge potential to influence young people, and we must consider how to do that to the maximum effect.

The sustainable development agenda will affect all children and young people, and the Executive recognises that the education of those people — the business and political leaders of tomorrow — will be an important way to promote it. Sustainable development has been embedded firmly in the revised school curriculum as a key theme to be developed throughout primary and post-primary levels.

Pupils will explore issues such as environmental and climate change and the need to manage the impact of humans on the environment. They will come to understand the interdependence of society, the economy and the environment; to develop respect for the needs of present and future generations, and to act towards promoting an improved environment.

The revised curriculum also places greater emphasis on preparing children better for future employment. The new topic of learning for life and work will equip them with the knowledge and skills to become the entrepreneurs and innovators of tomorrow. There is also a greater emphasis on developing the skills that young people will need for the workplace, such as problem solving and creativity.

Progress has already been made in specific areas such as improving waste-management, where there has been significant investment in district-council civic-amenity sites for the collection and recycling of municipal waste, with the introduction of separate wheelie bins for different waste streams and kerb-side collections, all of which has led an increase in household waste-recycling from 5% in 1999 to 19% in 2005.

3.15 pm

Another example is the increase in the percentage of electricity that is derived from renewable sources. Since 2001–02, that has increased by 4.3%, and it now stands at 5.8%. That is a good start, but we need to go further.

Air pollution is decreasing. There has been a long-term reduction in the average number of air-pollution days; they reached an all-time low of only three days in 2006. That decrease is largely due to a reduction of particles and sulphur dioxide in the air. However, there has also been a long-term decline in nitrogen dioxide concentrations in urban areas since the early 1990s.

Sustainable development is built on the three pillars of economic growth, social progress and environmental protection. Each pillar is integrally linked to the others, and the effective pursuit of sustainable development requires a balanced approach that integrates all three components. That approach lies at the heart of Govern-

ment's thinking on sustainable development and of their response to some of the elements of the challenging agenda.

Sustainable development is a global movement. Governments have been gradually moving the issue to centre stage for some time. The EU has set out its stall, and all member states were required to have a sustainable development strategy in place by June 2007.

Globally, the G8 group has become increasingly engaged — notably through the Kyoto protocol — with climate change, which is a major symptom of unsustainable living. As Jimmy Spratt argued correctly, climate change has emerged as a huge global challenge that has national and local implications, as evidenced by recent events. It is a challenge to which we must respond.

Although the Minister of the Environment has the lead responsibility for this important issue, it is clear that all Ministers must play their part. The Executive recently approved the extension of the Climate Change Bill to the North. A legislative consent motion will be brought before the Assembly to seek its consent to the Bill's extension after it is introduced in Westminster in November. Committing to that Bill will demonstrate that the Assembly is willing to play its part in tackling this global issue.

We must be in a position to assess better the trends in our emissions if we are to introduce specific CO₂ targets for here. We also need to understand more fully the relationship between the Government's economic competitiveness objectives and how they relate to emissions reductions. To that end, two pieces of research on those matters have been commissioned. Those are expected to be available in March 2008, when we can review the position again.

Following a recommendation in the Scotland and NI Forum for Environmental Research report, the NI Climate Change Impacts Partnership has been established to widen the understanding and knowledge of the impacts of climate change and the actions that are necessary to deal with it. The partnership consists of representatives from central and local government, the business community, the voluntary sector, and professional organisations.

As Daithí McKay argued, greenhouse gas emissions are particularly concerning. The latest figures show that our greenhouse gas and carbon dioxide emissions have decreased from 1990 levels by 6% and 4% respectively. Power stations and road transport remain the most significant emissions sources.

However, it is clear that the underlying message on emission levels varies considerably, given that last year's publication of the figures from 1990 to 2004 showed an increase from 1990 levels. We recently commissioned research to help to inform a better

understanding of emissions here, and that should be available next March.

The first sustainable development strategy was published before restoration by the Secretary of State in May 2006. Its objectives are to help to secure a thriving, sustainable economy and prosperity and quality of life for all, combined with the creation of a healthy environment that is so essential to the health and well-being of our people.

The sustainable development strategy was followed by the first implementation plan, which was published in November 2006. The plan sets out in detail the specific targets and actions that every Department must achieve by March 2008. Indeed, Patsy McGlone argued for that. The plan seeks to ensure that the principles of sustainable development underpin all Departments' policy, operational and business processes.

The Executive recognise that they have the opportunity to influence a sustainable development agenda directly through their decisions and policies. We are currently in the process of developing our first Programme for Government. In relation to Patsy McGlone's amendment, we are fully committed to the overall principles of the sustainable development strategy.

The Executive want to ensure that the environmental commitments on sustainable development and tackling climate change are taken into account in the Programme for Government. In developing a further implementation plan to cover the period 2008-11, we will carefully review the targets in the sustainable development strategy in order to ensure that they are still appropriate.

The Executive hope to publish the Budget, the investment strategy and the Programme for Government later in the autumn. In the Programme for Government we will be setting out, for the first time, the Executive's priorities, and the Budget will provide details of the spending allocations to those priorities. We will also be publishing our public service agreements, which will set out the high-level objectives and targets that the Executive are seeking to achieve.

The Executive are working on a draft Programme for Government. As part of that work, we will consider how best sustainable development can be incorporated and how it can underpin all our activities. It is our intention to ensure that sustainable development is taken fully into account when we develop our policies.

I mentioned earlier that the implementation plan covers the period up to the end of March 2008. As I said, we intend to bring forward a new implementation plan, which will be aligned with the Budget years and cover 2008-11. The first implementation plan concentrated mainly on the actions of the various Departments. However, we recognise that Government alone cannot deliver the sustainable development agenda without the participation and involvement of other

organisations and individuals. Therefore, it is our intention to widen the focus of the next plan to embrace other sectors.

Both the published strategy and the plan owe much to the ideas, contributions and involvement of the stakeholder group. The Executive want to continue to benefit from the knowledge and expertise of stakeholders, and we are considering how that can be best secured in the future.

The Strategic Investment Board, as a Government-owned company, has been working to embed sustainable development principles in its approach to the investment strategy and the individual projects that it contains — Brian Wilson referred to that in his contribution.

The Executive are fully committed to the principles of sustainable development, and we need to ensure that those principles underpin all our decision-making processes and become embedded in the day-to-day business of Government. We recognise that society needs to embrace sustainable living now to avoid an adverse impact on present and future generations.

The Executive are also conscious that there is a need to balance economic development with sustainability. We recognise the importance of achieving sustained economic growth — we will seek to do that in a balanced way, taking into account the long-term social and environmental consequences of our decision-making. We do not underestimate the challenges presented by this issue. Economic growth, social development, eradicating poverty and inequality, and reducing the environmental impact of society are not mutually exclusive policy goals.

The Department of Enterprise, Trade and Investment is undertaking a project to investigate the business opportunities and challenges presented by carbon emission targets. The Department will also examine the appropriate policy response to adopt to ensure that businesses contribute to emission reductions and can fully capitalise on the opportunities presented by the emerging green economy.

A key target of the sustainable development implementation plan is to reduce the productivity gap between here and the rest of these islands. One of the main areas of action relates to innovation. The research facilities in the universities also have a major role to play in supporting the innovation agenda and can address many aspects of sustainable development.

The green economy is an emerging issue, and one which the Executive do not intend to overlook. Economic activities related to the environment have the potential to contribute £573 million to the economy here and to support 32,750 full-time-equivalent jobs.

Danny Kennedy highlighted the importance of agreeing indicators so that we can measure progress

towards sustainable development. The Executive plan to agree and publish, by the end of this year, a set of overarching indicators covering a range of key issues.

Willie Clarke argued for the need for an all-Ireland approach to this issue. The Executive's approach is that, where mutually beneficial, we will sensibly work with the Irish Government on an all-island basis across a range of issues, including sustainable development.

As an Executive we need to play our part to minimise the impact of climate change —

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

Mr A Maginness: This has been an interesting debate, from the zealot to the more bizarre contributions from the DUP Benches.

I look at Jim Shannon, not because his ideas are bizarre or because he is a zealot, but because he brings common sense to the debate. He summed up the situation most deftly in his assertion that global warming is now established as a scientific fact.

There is an old canard that says that weather is variable, has been for centuries and, indeed, since time began. However, the reality is that those variables are exacerbated by the way in which we use our environment. To say that, since the weather changes, those changes would happen anyway, is incorrect. They would not.

That is why one welcomes the motion. Mr Brian Wilson's motion highlights the need for us to commit ourselves to sustainable development. The Deputy First Minister has shown that the Executive and the Office of the First Minister and the Deputy First Minister are committed to that. The amendment was tabled simply to strengthen Mr Wilson's motion. It puts the commitment to sustainable development into the mainstream of the Programme for Government. That is important, and I am glad that the Deputy First Minister is here to ensure that the message is relayed to the Executive and that action on this issue is mainstreamed. Throughout the debate, many Members have recognised and supported the need for such action to be prioritised.

The SDLP fully supports Mr Brian Wilson's motion, and he has done the Assembly a great service by greening all our politics, even on the DUP Benches — perhaps more so on the DUP Benches than in other parties — apart from the hapless Sammy Wilson. Having heard his comments, I felt that I should invite him to join the Flat Earth Society. I am sure that it would welcome him with open arms.

Sammy Wilson argued, in futile fashion, that there is little need to do anything in the present circumstances, but anyone with a titter of wit knows that we have to build for the future. We have to preserve our environment for our children and give them an inheritance of worth.

However, all of us contradict what we try to do. We drive the wrong cars; we do the wrong things.

Mr Wells: The Member is seated beside the biggest contradiction of all — the Member with whom he proposed the amendment. I speak of the Member to his right, not to his left. Mr McGlone claims to protect the countryside and the environment, yet he leads the campaign to concrete over the countryside with tens of thousands of concrete monstrosities, in the form of bungalows.

Mr A Maginness: I take it that the Member refers to Mr McGlone, rather than to Mr Ford.

Mr McGlone's opposition to PPS 14 is reflected in the almost universal opposition to that measure that prevails throughout the House. Members oppose it because of the way that it was introduced and the way that it ineptly tackles the problem of unrestricted development in the countryside. Mr McGlone, my colleagues and other Members do not support unrestricted development, but they are opposed to the inept manner in which the direct rule Minister introduced proposals that, overnight, inflated land prices and deprived young people and others of the opportunity to buy affordable homes in rural areas.

There is a need for a new policy that includes reasonable restrictions. I will not go into that matter because my time is nearly up.

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

Mr A Maginness: Am I allowed another minute for the intervention?

Mr Deputy Speaker: You have used it. *[Laughter.]*
3.30 pm

Mr Ford: It is difficult to respond to a debate on which there is complete unanimity in the Chamber — with the exception of the East Antrim joker. It is a pleasure to have that measure of agreement, but perhaps I will manage to introduce a bit of controversy as I continue.

In proposing the motion, Brian Wilson highlighted the three challenges with which we are faced: the environmental, economic and energy-security challenges. Those points were taken up in various ways by other Members.

Early in the debate, Stephen Moutray stated the facts about climate change, for the benefit of those who had not heard them. It was notable that Jimmy Spratt was one of the few people who took up the issue of energy security, which comprises the second half of the motion. Although Mr McAllister linked the economy to the environment, let us be clear that South Down is not the most beautiful constituency in Northern Ireland, but one of the 18 most beautiful.

Mr McCarthy: Strangford.

Mr McNarry: That is right.

Mr Donaldson: We could hold a debate on that.

Mr Ford: That response highlights the quality of the environment across the whole of Northern Ireland, which we must protect. The responsibility for that lies at various levels. The Deputy First Minister highlighted the responsibilities that lie with Europe, the sovereign Governments, the Executive, and local district councils. However, as George Savage pointed out, we must ensure that responsibility for sustainability is carried out in partnership across society, particularly among statutory bodies and the voluntary sector. Much of the expertise that we need lies with certain major NGOs. The grass-roots presence of many local community bodies who work on sustainability also contributes to improving the situation for everyone.

On one level, the problem is that people are overwhelmed by the evidence of the need for change, and feel that they can do little. However, it is clear that when the evidence for how change can be achieved is presented, and the indicators are clarified, as Danny Kennedy said, people will see that there is an opportunity to make worthwhile change.

For that reason, we need not only grand, broad-brush vision statements, but focused targets for various sectors of government and business, so that the global sustainability targets can be broken down into meaningful targets. Certain indicators that have been highlighted for energy, waste or biodiversity demonstrate the areas of responsibility in which individuals can and should take action.

Jim Wells remarked that Northern Ireland dwells in a three-planet economy; however, as an individual region, Northern Ireland is part of a four-planet economy — which shows how much needs to be done, despite the sceptical voices that have been raised.

The Deputy First Minister raised the key issue that we do not yet have full information on CO₂ emissions. Much more monitoring and assessment must be done, and it is somewhat tragic that a report published by the Office of the First Minister and the Deputy First Minister last year was named 'First Steps towards Sustainability'. One would have thought that, by 2006, we would be further down than the line than taking first steps.

Having been so far behind, Northern Ireland has an enormous amount of catching up to do. A point that was made by Daithí McKay bears repeating: sustainability should be recognised as a key cross-cutting theme in every Department, as well as a primary responsibility for the Office of the First Minister and the Deputy First Minister.

Every Department must accept and carry out its responsibilities on sustainable development, and those must feature in the Programme for Government.

The motion was put forward to give the House the opportunity to debate sustainable development and climate change; to make it clear that those issues must be dealt with urgently; and to urge the Executive to ensure that the Programme for Government takes action, rather than to pay lip-service to the issues or use a fig leaf to cover them.

The debate emphasised that there are clear potential benefits for the economy if action is taken; particularly, but not exclusively, in energy generation. I believe that that point was made by Jim Shannon during his contribution in English, and by Willie Clarke. Some Members believe that the Assembly must play its role as part of the United Kingdom — I notice that that applied to the Deputy First Minister when he referred to the Climate Change Bill — and others wish to see that action taken on an all-Ireland basis. At least, let the House accept that it must be done in both contexts. The Assembly has responsibility for Northern Ireland, but it can form partnerships, North and South and east and west. We should not play border politics with such issues: they affect all of us in different ways.

I want to comment on Alban Maginness's winding-up speech on the amendment, and on the lone voice of scepticism from Sammy Wilson. Climate change is happening. No one denies that — not even the sceptics. Direct correlation between climate change and carbon dioxide production is a fact. There is also a clear correlation between global industrialisation and carbon dioxide production. If Sammy Wilson chooses to read the theories of a tiny minority of people who are not accepted by the reputable academic community, he should not bring such views into the Chamber and try to put them across as serious argument, rather than as cheap nonsense. He is good at doing so, and has excelled himself today.

As I said, there are huge opportunities for Northern Ireland, particularly in the renewable energy sector. The Deputy First Minister highlighted that, although progress has been made, 5% of energy must come from renewable sources. A vast amount of work must be done in order for that to be achieved. It is heartening that the Minister was able to report positive movement in several areas — work that is being done in education; improvements in waste recycling; renewable energy statistics; and reduction in air pollution — all of which are welcome.

The Deputy First Minister has given the Executive's specific commitment to introducing a legislative motion on the Climate Change Bill and on Northern Ireland's responsibilities in that regard. That is a key part of tackling the issues. Furthermore, he acknowledged that, for example, statistics on carbon dioxide emissions are not available. Clearly, a vast amount must still be done if people are to play their roles as citizens of the world; whether they regard themselves as citizens of

the UK or of Ireland. In the context of sustainable development and climate change, everyone is a citizen of the world.

This week, a constituent of mine is doing a sponsored run around Lough Neagh for a Third-World charity. There is little point in someone taking such individual initiative to help those in greater need if our four-planet lifestyles contribute to the difficulties that those people encounter. The Assembly must ensure that action is taken on that.

I welcome the amendment standing in the names of Patsy McGlone and Alban Maginness. It amplifies and clarifies the original thrust of the motion. I trust that not only will there be wholehearted support for the motion and the amendment in the House, but that Members will accept their responsibilities as citizens, in the House and in the Committees, to ensure that the Deputy First Minister's commitments are followed through. Members must ensure that the motion will not simply be one of many no-day-named motions that passes through the House and disappears into a hole, but that it will become a key theme for the Programme for Government and for the work that the Assembly must do in coming years.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly recognises sustainable development, in general, and climate change, in particular, as central to its consideration in all relevant areas of government, including opportunities to use local economic and technological innovation strategies to place Northern Ireland at the forefront of the emerging green economy in Europe; calls for the full implementation of 'First Steps, the Sustainable Development Strategy for Northern Ireland'; and calls on the Executive to ensure that environmental commitments on sustainable development and tackling climate change are mainstreamed in the Programme for Government.

Policing in Northern Ireland

Mr Deputy Speaker: The Business Committee has agreed to allow two hours for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for the winding-up speech. All other Members will have five minutes.

One amendment has been selected and published on the Marshallled List. The proposer of the amendment will have 10 minutes to propose and five minutes for the winding-up speech.

Mr Donaldson: I beg to move

That this Assembly condemns the recent murder of Mr Harry Holland, and other crimes, including the assault and robbery of an elderly resident in Dromore; supports the call for a zero tolerance policy against crime and anti-social behaviour on our streets; and opposes any move by the Northern Ireland Office to cut the policing budget or reduce the number of officers in the Police Service of Northern Ireland.

I welcome the opportunity for the Assembly to debate the motion. I recognise, from the outset, that as a legislature and an Executive, we do not have the power to take decisions on policing and implement them — except for those of us who serve on the Northern Ireland Policing Board and who play a role in the oversight of policing and in holding the Chief Constable to account. I declare an interest, therefore, as a member of the Policing Board.

There is no doubt that, over the past few weeks and months, major progress has been made in Northern Ireland on support for the police and the rule of law. The Policing Board hears very positive reports from police commanders, from areas as diverse as south Armagh and west Belfast. Those police commanders say that they are enjoying unprecedented co-operation from the community in those areas, and that that co-operation is helping them in the fight against crime.

A few weeks ago, the first district policing partnership (DPP) meeting took place in Crossmaglen, south Armagh. That event was particularly poignant for me, because it was on 12 August 1970 that Northern Ireland's Troubles first really came home to roost when my cousin, Samuel Donaldson, was murdered. He was the first RUC officer to lose his life in what became known as the Troubles. It is good to see that, today, in a place such as Crossmaglen — where Samuel and his colleague Constable Roy Millar were both done to death — that people are meeting the police, engaging with them, and tackling crime. That is important, and that is the kind of progress that we want to see as we move away from the division and violence of the past to what is, I hope, a better future.

There is an increased expectation, on the part of the public, that, where there is greater engagement with the police, that crime will decrease and clear-up rates of

crime will increase. Against that backdrop came the tragic murder of greengrocer Harry Holland, in west Belfast, by youths who were engaged in a criminal act. It was a terrible murder. It was a terrible way in which to die, and our thoughts continue to be with the Holland family.

I do not seek to make any political capital out of that tragic event, save to say that we have a duty to the family of Harry Holland. We have a duty to every greengrocer, shopkeeper, and every man and woman on the streets in west Belfast, and in every area of Northern Ireland, to do all that we can to prevent that type of crime from recurring. I am sure that the Holland family would say that if their father is to leave a legacy, it is that the community, and we, as their leaders, say that enough is enough.

3.45 pm

(Mr Speaker in the Chair)

There have been other crimes in recent times. In my constituency, four men wearing balaclavas broke into an 88-year-old pensioner's home in Dromore. She is a lovely Christian lady who lives alone, and Members can imagine what a frightening experience that was for her. They ransacked her home, but stole little. Such crimes, which create considerable fear among elderly people, have been replicated in other areas. Last week, a gang of youths broke into an elderly person's home in Lisburn.

Albeit a tiny minority, some young people feel that they can get away with committing such crimes, that they are above the law and almost infallible. Therefore, in bringing the motion before the Assembly, my colleagues and I couched it in the following terms:

“a zero tolerance policy against crime and anti-social behaviour on our streets.”

No level of crime is acceptable; nor should people tolerate such crimes. I accept and welcome the reduction in the level of some crimes, for which the Chief Constable has presented evidence. However, alongside that reduction, the clearance state of crime in Northern Ireland, at less than 20%, is not at the level it should be. From 21 April 2007 to August 2007, the overall clearance rate stood at 15.7% and, for the previous 12 months, the figure was 16.2%. Less than one in five crimes is solved, which is in contrast to other UK constabularies: for example, the Northumbria Constabulary clears 40% of reported crime.

To build public confidence that crime is being tackled on the streets, the police in Northern Ireland must attain a clearance rate considerably higher than 20% — and soon. To do so, the police must have the necessary resources to deal with crime. Recently, there was news of a shortage of detectives in the PSNI's crime department. That is a result of the Patten process and because many of the most experienced police

officers have left the Police Service. There is a direct correlation between the low clearance rate and the shortage of detectives. Therefore, additional police officers are required.

Against that backdrop, Her Majesty's Inspectorate of Constabulary has talked about reducing the number of police officers in Northern Ireland from 7,500 to 6,000 by 2011. A cut of some 1,500 officers is simply not acceptable. I have heard the comparisons, and it is said that Northern Ireland has more police officers per capita than other parts of the UK. However, surely Northern Ireland wants to set its own standards. I have been a Member of Parliament for 10 years, and every year that I have been in the House of Commons I have heard Government Ministers from the Home Office speak about the need to recruit additional police officers.

Indeed, it is one of the Labour Government's boasts that they have recruited more police officers. Why on earth is there talk of reducing the number of police officers in Northern Ireland? More, not fewer, officers are needed for front-line policing. The Chief Constable's recent decision to cut the number of full-time reserve officers from 680 to 381 recognises that the PSNI needs those additional officers to enable it to continue delivering front-line policing.

If the Chief Constable believes that he needs the help of the full-time reserve for a further period, there should be no talk of a reduction of 1,500 police officers by 2011. Similarly, under the comprehensive spending review, there may be a cut in the policing budget. Among the different figures that have been bandied about, £300 million has been mentioned as a possibility, and members of the Policing Board have been warned to prepare for such a cut. Historically, more money has been spent on policing in Northern Ireland than in other parts of the UK or in other comparable European countries. There were good reasons for that, such as civil unrest and the threat from terrorism.

However, this is not the time to talk about cutting the policing budget. We must tackle crime and get on top of it, and that means that the police must have available the resources necessary to deal with crime on the streets.

The zero-tolerance policy is not just some aspirational platitude, or some phraseology that we have borrowed from the police in New York; rather, it is about a real desire to see crime being tackled properly on the streets. That means proper sentencing in the courts — so that, when the police clear up a crime and get the offenders to court, the judiciary imposes sentences that are a real deterrent to people out there who are watching and listening. Sometimes, when they see the leniency of the sentences, they think “What have I got to worry about?” Tougher sentencing must play an important

part in that, and a zero-tolerance policy on our streets is crucial.

In conclusion, I commend the media for the way in which they have highlighted this issue. In particular, I want to mention the BBC programme ‘The Stephen Nolan Show’, which has done a pretty good job of highlighting the issue and generating public debate on it. This debate is not just for us; it is for the public, too, and it is important that they are engaged in it. I hope that the House will today send a resounding message to the criminal element of society that we will no longer tolerate its criminality.

Dr Farry: I beg to move the following amendment:
At end insert

“; and calls on the Executive to ensure that there is an appropriate policing budget and number of police officers to deal with the range of criminal activities and anti-social behaviour, in the event of the devolution of policing and justice to the Northern Ireland Assembly”

I will support the motion, but with a degree of concern and reservation about how it has been phrased and some of its implications. First of all, I am a little uncomfortable with basing what is, in effect, a policy motion on the murder of a particular individual, as tragic as it was. That is not the appropriate approach for an Assembly to take. Furthermore, it is recognised as bad public policy to base decisions on particular cases, as sad as they are. I will not say any more on the matter at this stage. I do not want to make too much of an issue about it, given the publicity and the huge sympathy that has been expressed for the Holland family.

It is also important to recognise the huge progress that has been made on policing in Northern Ireland, particularly in recent years. All the main parties in Northern Ireland now fully support the police and the rule of law. The Police Service of Northern Ireland is internationally recognised as one of the most professional and effective police services in the world, and it goes without saying that it is also the most accountable police service in the world. We all have the opportunity to make our views known to officers, both at Policing Board level and at community level through the DPPs.

However, it is important to look at what we mean by zero tolerance of crime and antisocial behaviour. Everyone in the Chamber hears all the time from constituents about problems with crime and antisocial behaviour. They are huge issues. If by zero tolerance we mean a robust, effective and proportionate response from the police and the courts, then we will all be in favour of it. There is clearly no acceptable level of crime and antisocial behaviour. However, if we mean that a punitive approach to minor offences and disorder must be taken, then perhaps it runs contrary to the restorative techniques that are being developed, both in the current statutory system and at a community level

— an approach that is finding favour with virtually every party in the Chamber.

As Mr Donaldson said, the zero-tolerance concept emerged from New York in the early 1990s. It focuses on quality of life and the “broken windows” theory, the idea being that by dealing with minor problems of antisocial behaviour on the street, a context is created in which crime is less likely to occur and major crimes are effectively dealt with. There is much that we can learn from that. However, if the call is for tougher sentences — and there is, rightly, a lot of frustration in the community about lenient sentences — we must also be aware of the consequences.

At the moment, our prison population is rising, following a dip as a result of the early-release scheme in the wake of the Good Friday Agreement. There are now almost 1,500 people in prison in Northern Ireland: about 911 who have been sentenced, and 567 who are on remand. It is worth noting at this stage that the figure for remand prisoners is hugely out of proportion with what it should be, and that is an indication of the very low speed at which justice is dispensed in our courts.

Our prison system is overcrowded already, and there is a clear case for building a new facility. However, if we are talking about a crackdown on crime, with tougher sentences, we have to be honest and accept that we will have to invest in providing new detention facilities across Northern Ireland. It is worth noting that there was a dramatic increase in the prison population in Scotland in the wake of devolution there.

Mrs D Kelly: Will the Member agree that the situation in prisons is at crisis level? Recently, an accountant charged with blackmail was given a suspended sentence because there was no place in which to put her.

Dr Farry: Yes. I have also heard about a case in which a person was given a prison sentence for not paying a dog licence. The situation in HMP Maghaberry is particularly critical; and there are female prisoners alongside juveniles in the young offenders’ centre at Hydebank, which is not ideal. It is fine to call for tougher sentences, and I endorse that call because that is what people want, but there is a cost attached to building quality facilities in which to house the people whom we send to prison.

When we talk about zero tolerance, we must mean just that: we cannot cherry-pick. I will be interested to hear the DUP’s comments on zero tolerance towards paramilitary flags; abuses and offences committed around bonfires; the use of paramilitary symbols in parades; and major public order problems. In recent memory, both unionist parties have tried to rationalise what has happened and have attacked the responses of the police who tried to deal with those offences.

I note that when the police raided the Alexandra Bar in north Belfast, both unionist parties criticised them.

If we are serious about zero tolerance, let us mean what we say.

The purpose of the amendment is to ensure that the Assembly, having called for action on the Northern Ireland Office budget, takes a consistent approach on resources when policing and criminal justice are devolved. We should not be calling on others to do something that we are not prepared to do ourselves if we had the power and the responsibility.

We must recognise that the Northern Ireland policing budget is large — approaching £900 million a year. Spending on policing in Northern Ireland is more than twice the average spent in Great Britain. At full complement, we have 7,500 police officers, which is larger than the average force in Great Britain. However, there are good reasons for that, and the Patten Report recognised that a complement of 7,500 officers met the required level for policing in Northern Ireland. We cannot rely on the support of other police forces as is the case for most forces in Great Britain, and there is the ongoing threat from paramilitaries and organised crime. Those are all major challenges, and they require an enhanced level of policing resources in Northern Ireland. The Alliance Party recognises that we must retain that level, but we must also accept that it creates distortions in public expenditure and leads to opportunity costs elsewhere in the system.

There will come a time — and the Alliance Party hopes that it will happen sooner rather than later — when Northern Ireland Office and Northern Ireland Civil Service budgets will merge. At that point, and just like other democratic societies, it will fall to the Assembly to make tough choices between investing in policing and security and investing in social, economic and environmental matters. Other matters requiring funding will also fall within the remit of the criminal justice system, and this Assembly will have to make choices.

We may well decide that we want a properly resourced police service to deal robustly and effectively with all the criminal offences and antisocial behaviour that occur in Northern Ireland. As a mature Assembly, if we are calling on the Northern Ireland Office to maintain current resource levels, we should support the amendment, and say that in the context of devolution, we are prepared to give a commitment to the people of Northern Ireland that we will do likewise.

During the months that we have had devolution, the DUP has been very good at lecturing other parties in the Chamber about public expenditure. It is easy to make claims on others for money; Northern Ireland has been very good at that in recent years. I would like to see the DUP applying what it preaches here consistently across the spectrum of public expenditure, including that which will eventually be devolved to us.

4.00 pm

On 26 June 2007, when the Assembly discussed pension provision for the former RUC part-time Reserve, I was concerned that Mr Ian Paisley Jnr said, on behalf of the Executive, that he was happy to call on the Northern Ireland Office to fund those pensions but that if the matter had been the Assembly's responsibility, it would have been thrown into the mix to be considered alongside all other public-expenditure priorities. To adopt such a stance is to be inconsistent. If the Assembly is calling for the Northern Ireland Office to provide for the police, we must say that we will provide for them, too. That is the basis of the amendment, and I urge the Assembly to support it.

Mr Adams: Tá mé buíoch díot, a Cheann Comhairle. Tá mé buíoch fosta de na Comhaltaí eile a labhair ar an rún tábhachtach seo.

I thank you, a Cheann Comhairle, and I thank the Member for sponsoring today's debate. Once again, I extend solidarity and condolences to Harry Holland's wife, Pauline; to their daughters Méabh, Gráinne, Sarah and Gael; to his mother Violet; to his brothers and sisters; to Pauline's mother, Grace; and to the Devlin family. Ba fhear uasal é Harry Holland grá don eolas, grá dá fhoireann don cheol.

Harry Holland was an active citizen. He was a friend of mine, and we lived in the same street until his death. He was also progressive in his ideas on how our community should deal with antisocial behaviour and criminality. Harry was prepared to give people, particularly young people, every support. That is also my position. We must face up to our responsibilities as parents. If anyone needs any lessons on that, the letter from Harry's daughters in this week's 'Andersonstown News' give some insight into how parents can imbue young people with sound, core values. I pay tribute to the Holland family for the dignified and graceful way in which they have faced up to their terrible loss. Bhí agus tá siad cróga, galánta agus mar shampla iontach dúinn go léir.

My friends, there is no tolerance in west Belfast for criminal or antisocial behaviour. However, there is also a justified, deep anger that actions such as Harry's murder are used to smear all the people of west Belfast, particularly our young people. The vast majority of the people of west Belfast are decent, hard-working, law-abiding and respectable citizens. It is also a fact that there is a heightened fear among some sections of our people, particularly our elderly and people living alone, because of the popular view that criminals can get away with anything. That is not only a west Belfast or republican view. I agree with the Member for Lagan Valley Mr Donaldson that the delivery of good policing is a concern for people everywhere.

There is a widespread sense of scepticism throughout the Six Counties. As political leaders and representatives, we have a responsibility to change that. The PSNI and the criminal justice agencies also have a duty to deliver. Sinn Féin has been to the forefront in leading recent community initiatives to engage with the PSNI. In west Belfast, which has suffered terribly from bad policing, particularly in the upper Springfield area, hundreds of citizens are engaged in programmes to assist the PSNI to challenge thugs and criminals, many of whom are repeat offenders and well known to the PSNI and the justice agencies.

Therefore, there are legitimate questions to be asked, not only about policing budgets or numbers of police officers but about how those resources are deployed. There are big questions about how the PSNI responds to calls or to information from citizens. Questions arise about the response times and the relationship between the PSNI and the justice agencies and other bodies, particularly in dealing with offenders.

The motion is useful in focusing attention on those important issues. However, there is also a need to build confidence and community solidarity and to develop a joined-up and sustained approach.

Friends, as we speak, no joined-up approach exists between the PSNI and other justice agencies, including alternative bodies and institutions, to create a cohesive and sustained approach in partnership with local communities. We must get the criminals and the thugs off the streets, but that means delivering good civic policing as a public service so that citizens have the protection and justice that they all deserve. Ní bhfuair Harry Holland ná a chlann an seirbhís sin. Ba rud mícheart sin, rud mílteanach. A chairde, tá a lán oibre le déanamh againn na rudaí seo a chur i gceart.

Mr Kennedy: I thank the proposers of the motion for bringing the matter before the House. However, the UUP regrets that the motion does not go far enough, as it fails to assert the view — widely held among the unionist community in particular — that the time is not right for the devolution of policing and justice. All Members will rightly condemn all murders, including the disgraceful and despicable murder of Harry Holland, and the UUP expresses its sympathy to the Holland family.

Mr Donaldson: I thank the Member for giving way. As Mr Kennedy will be aware, the Ulster Unionist Party tabled an amendment, but it was not selected by the Speaker. The DUP would have been happy to accept that amendment. We share the view of the Ulster Unionists that the Assembly and Executive Review Committee must be mindful of the need for sufficient public confidence to be in place before the policing and justice powers are devolved to the Assembly. The

DUP believes that public confidence is not sufficient to enable that devolution to occur at this time.

Mr Speaker: I thank the Member for taking the intervention; he will be allowed an extra minute to speak.

Mr Kennedy: You are a fair man, Mr Speaker. I welcome the clarity from the honourable Member. The UUP also condemns assaults and robberies on all elderly residents, whether those attacks take place in Dromore, County Down, in Bessbrook, County Armagh, or somewhere else.

Antisocial behaviour is now a blight on our society. Most representations that Members receive are from constituents who are concerned about antisocial behaviour and levels of disorder, and they want more police officers on the ground, as well as a greater police presence. Therefore, there is great concern about potential cuts in policing budgets and cuts in the numbers of officers who are available to serve local communities. That includes members of the full-time reserve. I welcome the recent extension to contracts that the Policing Board offered. For some bizarre reason, the SDLP opposed those extensions; I did not understand the logic of that.

Everyone accepts that the public wants a zero-tolerance policy to be implemented, not just talked about. There is broad consensus that the devolution of policing and justice is desirable, but the debate really concerns when that devolution will be considered appropriate. The Alliance Party amendment does not provide any clarity on the matter; rather it introduces fudge — no change there from the Alliance Party, then. We have more fudge from the Alliance Party, because, to a certain extent, the devolution of policing and justice is a complete red herring. It will not make the people of Northern Ireland safer. Since 1997, some 3,023 new criminal justice laws have been passed, but are communities across the United Kingdom any safer? Obviously they are not.

The Policing Board and other statutory agencies already have the necessary powers to address crime — and the fear of crime — on our streets. Therefore, the big issue is not whether, but when.

The Ulster Unionist Party does not feel that there is sufficient confidence to allow the devolution of policing and justice now or in the near future. Why? Because of the lack of confidence in the new institutions and the political personalities who are involved. If clear evidence of that is needed, there is an elephant in the Chamber today. I do not want to personalise this, but responding, not on behalf of his political party but on behalf of the Office of the First Minister and the Deputy First Minister and the Executive, we have someone who was convicted of a very serious criminal offence: an attack on the Old Bailey in London. I am referring to Mr Kelly. It beggars

belief that anyone would consider giving such a person responsibility for policing and justice.

This Assembly is new; it has not taken any major decisions or been properly tested. Some Members fear that, during the negotiations at St Andrews last year, a political deal was done, and the outworking of that deal is simply a matter of when the political climate permits.

Mr Speaker: The Member's time is up.

Mr Attwood: I welcome the motion as an opportunity to record the sympathy of the Chamber with the Holland family and to develop the joined-up and sustained approach to crime that Gerry Adams referred to.

As we all know from our recent history, there are moments when events converge to enable a community to move to a place where it had not previously been. I sense that significant parts — but not all — of west Belfast are experiencing one of those moments. That is why a joined-up and sustained approach to crime must be developed quickly.

The Lord Chief Justice was in the Senate Chamber today speaking to the Assembly and Executive Review Committee about the devolution of justice and policing. It is time for the criminal justice institutions to develop that conversation with the wider community. That is why, over the last 10 days, the SDLP has been meeting — mostly in private — with the Public Prosecution Service, the PSNI and others to urge them to open their doors as never before, in order to have conversations with individuals and organisations in the community and hear their concerns on criminal justice issues.

The SDLP has outlined a number of proposals in those meetings. I shall mention only a few. We think that it is time to create a sentencing guidelines council — consisting of law practitioners, the judiciary and other individuals — to inform the High Court about appropriate sentences and how it should conduct itself in bail hearings. That would not interfere with the judiciary's independence, but it would enable the community to speak to the judiciary about its concerns on the administration of justice and how things should develop.

Similarly, the SDLP proposes a panel of prosecutors, so that individuals in the PPS can engage on a rolling basis with the community, politicians and families in an effort to hear and heed their concerns on the management of prosecutions in this part of the world.

As Members are beginning to talk more positively to each other, and as the community is talking more positively with the criminal justice institutions — including the PSNI — my message to the criminal justice family is that it is time for the Public Prosecution Service, the PSNI and the High Court to engage in conversation with the community through a range of mechanisms.

4.15 pm

I endorse Jeffrey Donaldson's remarks about finance. I recently received a letter from the Department of Finance and Personnel confirming that as yet — five months before the Assembly and Executive Review Committee makes proposals about the devolution of policing and justice — there has been no conversation with the Treasury about the future policing and justice budget. Perhaps now is not the time to have that conversation, but it must happen quickly because proposals that the Policing Board is hearing about reducing police numbers may well be matched by proposals to reduce the overall criminal justice budget. The conversation between the Department of Finance and Personnel and the Treasury must take place to guarantee the funding for policing and justice not only for the next three years, but, critically, after 2010-11 when, I think, the Treasury and the NIO will try to claw funds back. That is when the comments that have been made in the Chamber about competing priorities will come home to roost.

The SDLP has some concerns, as does Stephen Farry, about a motion on zero tolerance. Organisations such as Families Bereaved Through Car Crime in west Belfast will tell you that due to the nature of crime and those who are involved in crime, one size does not fit all when dealing with offenders. We need tougher sentences and tougher courts, but sometimes toughness is not the only answer when dealing with those in the community who are already vulnerable. Toughness has its place — it may even have a greater place — but it is not the sole answer to dealing with the issues that have been identified by the tragic murder of Harry Holland.

Mr Weir: I declare an interest as a member of the Northern Ireland Policing Board — as did the proposer of the motion. I have no doubt that the motivation behind the Alliance Party's amendment was well meaning, but the DUP believes that the amendment is wrong, because it takes the focus away from where it should be, which is in the motion, and it lets the Government off the hook.

There is no doubt about the importance of proper funding for policing. If we reach the situation in which the level of public confidence for policing to be devolved to Northern Ireland is right — and, like Mr Kennedy and Mr Donaldson, I think that we are a long way from that — it will be important that there is the proper level of funding. However, if the focus is on guaranteeing that the Executive will provide such funding, that will take pressure away from the Government to ensure that there are adequate levels of funding in the meantime.

Leaving aside the matter of public confidence, if policing and justice are devolved, it would be unacceptable to have a service that has been denuded and that would be receiving a reduced level of resources. To take away from the duty of Government to provide

adequate support for policing and protection for the community is to lose focus, and that is why the DUP does not support the amendment.

The motion comprises three elements. On behalf of the DUP, I express my sympathy to the Holland family on their recent tragic loss in such appalling circumstances and to the elderly lady in Dromore who was brutally attacked. They are not the drivers behind the desire for zero tolerance or the need for adequate police numbers. However, it is appropriate that Members express their concerns about those events.

Mr Spratt: In view of the epidemic levels of antisocial behaviour around the Province, does the Member agree that it would have been advisable to retain the 300-odd full-time Reserves until that epidemic were brought under control and strengthen the Chief Constable's budget to allow him to deal properly with this scourge on society?

Mr Weir: I agree with my honourable friend. Any public representative who deals with policing work on the ground knows that there has been an explosion in antisocial behaviour over the past number of years. The police and public representatives are frustrated by the torture caused by a small number of youths who, daily, make life hell for people. Unfortunately, the police simply do not have enough resources to deal with the problem adequately, which is why more resources must be injected into that area of policing.

A zero-tolerance policy has not simply been plucked out of the air but has been tried and has proved successful in several jurisdictions. The focus is usually on New York, but the policy has been used in other parts of the United Kingdom. Zero tolerance does not simply concern policing but the entire judicial system. In this Building this morning, the Lord Chief Justice talked about the need for the independence of the judicial system; no one would argue with that. However, as Alex Atwood pointed out, the judiciary should take account of public concern when sentences are decided, and politicians have a role in framing that discussion and agenda. It is not a myth that sentences in Northern Ireland tend to be lower than in other parts of the United Kingdom, because we still have more generous remission for prisoners. The judiciary has an important role, because members of the public often see police intervention not being followed up with an adequate sentence at the end of the process.

We must ensure that Northern Ireland has enough police officers. Many people, especially those from a rural background, want the number of police officers to be increased rather than decreased. How often have politicians had to tell constituents that, although they are pushing the police to be more active in an area, they cannot be there all the time providing the level of service that people want? How often do we hear that

vast areas are left unpoliced for long periods because a patrol car is attending an incident?

Today's motion is a strong one, and I hope that the House will unite around the DUP's sensible approach.

Ms Anderson: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún agus don leasú seo. I support the motion and the amendment. I also declare an interest as a member of the Policing Board.

I echo the condemnation of the brutal murder of Harry Holland and acknowledge the fact that his family members are with us in the Chamber. I also condemn the robbery in Dromore and all criminal and anti-community activity, including the scourge of drugs that blights so many of our communities.

Crime and anti-community activity are two of the major issues for the vast majority of people across the North. In Derry, in my own constituency, two families were left homeless and a community centre was gutted in a despicable arson attack at the weekend. That kind of mindless destruction has no place whatsoever in our society, and there should be no hiding place for those engaged in any such anti-community activity.

Sinn Féin has been at the forefront in tackling all those issues and will continue to confront crime in all its guises. Clearly, that requires a proactive and robust PSNI response, for which the police should be properly resourced. Policing with the community is central to that — there must be prompt and effective responses to community co-operation. That engagement with the community must also involve the vast majority of young people who are decent and active citizens, all of whom reject, and have no tolerance for, the day-to-day crime to which they, their families and their peers are subjected.

However, if we are to make serious inroads against crime, the PSNI must also become a first-class service. We are already one of the world's most policed societies, yet the clearance rate for recorded crime — to which Jeffrey Donaldson referred — was just 16.5% last year. Despite the huge number of officers currently employed by the PSNI, they are resolving fewer than one in five crimes. Clearly, there is room for much-needed improvement.

We should focus on the quality of services and where PSNI officers are deployed. There must be a greater emphasis on efficiency, with officers on the streets where they are needed rather than trapped behind desks, filling in forms. That problem was highlighted recently by the Oversight Commissioner, and the PSNI management team has supported those concerns.

We must ensure that we create the highest standard of police service, which is efficient and effective, because the day-to-day level of crime in our communities is totally unacceptable. We must see an end to the death

drivers, who are often back on the streets to terrorise our communities only hours after being arrested. We must see an end to drug dealers, who seem able to ply their deadly trade with impunity, despite their identities being well known.

The only way that we will ever deliver a truly effective approach to crime is if the PSNI and the judiciary end the rotating-door justice system that allows some of the most persistent offenders back on the streets, often without so much as a slap on the wrist. The most effective way to achieve such a joined-up approach to tackling crime is by transferring policing, the judiciary and justice powers to the Assembly, but perhaps that is a discussion for another day.

We have the ability, and we should have the confidence, to take our destiny in our own hands. We need to deliver a good, effective, fair and efficient justice system, with a human rights ethos enshrined at its core. That is no less than what the people in our community demand, and it is no less than what they deserve. Go raibh maith agat, a Cheann Comhairle.

Mr Buchanan: I declare an interest as a member of the Policing Board.

The heinous murder of Mr Harry Holland in west Belfast — a hard-working, highly respected husband, father and grandfather — not only caused a sense of disbelief and outrage across the Province but also portrayed an image of general lawlessness that continues to exist in Northern Ireland. Although police statistics tend to show a decrease in such violent crimes, the fact remains that seldom a day passes without news of another heinous stabbing or vicious assault in some town or village in our Province.

All too often in our communities and isolated rural areas we hear of robberies, assaults and various attacks on elderly people — the most vulnerable in our society. Those attacks often leave them with broken bones, bruises and scars. That fear remains with them for the rest of their lives. Old and young alike are being attacked on our streets, public parks, school playgrounds and even in our hospitals, with the emergency services coming under constant attack. Is it any wonder that the people of Northern Ireland feel under siege and powerless to protect themselves? Statistics do precious little to stop the thuggery and rebuild confidence in a society where even the security forces are struggling to keep crime at bay.

However, we must be mindful that all crime is an issue that must be tackled on a much wider front than simply policing. Everyone — from the police to the politicians, from the parents to the legal system — has a role to play in seeking to bring into play a zero-tolerance policy against all crime and antisocial behaviour.

4.30 pm

The political representatives on the opposite side of the House fail to give their full, unequivocal support to the police as they seek to uphold the rule of law and order, and tackle all criminal activity. Sinn Féin members of the Policing Board publicly condemned the PSNI and accused police of taking a heavy-handed approach for making one arrest at the weekend in Londonderry, after coming under a severe attack from the nationalist community, which resulted in injuries to police officers. That clearly spells out Sinn Féin's hypocrisy, demonstrates its lack of leadership, and shows little commitment to taking all crime seriously. On that occasion, the mask slipped again, and there is now a challenge for Sinn Féin to condemn such activity and show its full support for the PSNI in seeking to tackle all criminal activity across Northern Ireland.

The PSNI must be properly resourced and have adequate numbers of fully trained personnel to provide an effective service in the community. Any proposals to reduce finances or personnel would eradicate the effective delivery of services to the public and create an even more dangerous and unacceptable situation. Having reduced the numbers of police personnel from 12,000, six years ago, to 7,500, and taking account of the current dissident republican threat, there is no room for any further reductions in front-line personnel.

There is much talk from Sinn Féin and, indeed, the SDLP, of the necessity to devolve policing and justice by 2008. Let me spell it out clearly — that is a fantasy. Republicans have a long way to travel before the devolution of policing and justice could be considered. Nevertheless, the motion — which calls for the condemnation of all types of criminal activity and antisocial behaviour; the establishment of a zero-tolerance policy to help stamp out such thuggery in society; the declaration of unequivocal support for the PSNI and the rule of law; and the building of confidence in our communities — is a starting point for Sinn Féin. Is it capable of showing such leadership on this issue?

Mr B McCrea: Early in the debate, a bearded man, whom I barely recognised, wandered into the Chamber and spoke to me in a language that I do not understand about some distressing matters — which all Members have condemned. It seemed that that man was not talking to Members, but to others. However, he spoke of the need for integration and working together. There is a famous phrase: "Tough on crime and tough on the causes of crime."

Famously, John Major retorted that he wanted to be: "tough on hypocrisy and tough on the causes of hypocrisy."

I should add that, if the Speaker will forgive me, I must declare an interest as a member of the Policing Board, although that is well known.

There are issues that Members should be discussing — the things that are left unsaid about whether we are really ready for the devolution of policing and justice. That is what this debate is really about. The people of Northern Ireland expect — and this was referred to on 'The Steven Nolan Show' on Radio Ulster —

Mr McCallister: Much has been said about sentencing. Does my honourable friend agree that the policy of 50% remission is unacceptable?

Mr B McCrea: I thank my friend for that intervention. It is absolutely the case that the public believes that those in authority are far too lenient and that criminals should be locked up and the key thrown away. I was surprised to hear Dr Farry from the Alliance Party, the proposer of the amendment, arguing for a policy of zero tolerance. Perhaps that is why his speech was somewhat confused and rambling. I was not sure whether the Member was supporting zero tolerance or not.

Individuals were mentioned, and some people might say that Members should not do that, because it personalises the issue. However, it is only by personalising the matter that we can understand what it is really about.

I spoke to the 89-year-old woman and her family in Dromore the day after she was robbed. They were clearing up the mess, and it was a disgrace. The policeman who dealt with them said that the woman would never get over it. Her family, and elderly people throughout Northern Ireland, will never get over it. The most distressing part of the story was that, when the burglars took the money from her purse, she asked if she could have the purse back. They just laughed, took the purse and walked away. How heinous is that?

There are few crimes worse than the taking of a person's life. We have offered our sincere condolences to the Holland family. However, the Assembly must take on board the most basic crimes against elderly people and vulnerable people.

Zero tolerance is not a target; it is not something on which people can be tested. It is an attitude of mind that compels people to believe in working together. It is not simply about the police, crime statistics or the judiciary; it is about the community and every Member of the Assembly. Will we really tackle the issues by working together or will we simply fence?

Sadly, the UUP amendment was not selected, but we wanted to say that the time is not right for the devolution of policing and justice. The UUP will reject Dr Farry's amendment, because the communities need time in which to build trust. We need new and innovative ways to work with communities, and we need to find ways in which people can work together in order to sort out problems. Until and unless trust is built in the community, it will be impossible to devolve policing and justice.

I note that the junior Minister on the opposite Benches will respond to the debate. I am looking forward to that, but I wonder what message that sends out. Is there a hidden message? Are we on a conveyor belt that we cannot get off?

The point is not whether devolution of policing and justice is good or bad; it is whether it is desirable at this stage for the Assembly to tackle those matters. The institutions have only just got up and running. The proposer of the motion talked about what the public were looking for. He mentioned delivery on health and education and on areas covered by all the Departments. Perhaps we should learn to walk before we run.

I want it to be recognised that the Assembly is serious about sorting out the problems, and I want Members to work together to resolve them. Therefore, I urge my colleagues to reject Dr Farry's amendment and to support the motion tabled by Jeffrey Donaldson.

Mrs D Kelly: I too must declare an interest as a member of the Northern Ireland Policing Board.

I want to join in the expression of sympathy to the family of Harry Holland, who have suffered the great loss of a man who was a father, a grandfather and a husband.

It may be of interest to some Members to know that, less than two weeks before Mr Holland's death, one of my constituents had his car stolen by three youths. During the insurance company's investigation, he was asked why he did not intervene. The answer to that question is exemplified by the murder of Mr Harry Holland. It is not safe for anyone to intervene. Perhaps the insurance companies should take that message on board.

Although the debate is primarily about zero tolerance of low-level, high-impact crime, and antisocial behaviour in particular — which, as many people acknowledge, primarily involves young people — it would be remiss of the House if it did not recognise the sterling work of the majority of young people and their contributions to society. Young people are often the victims of antisocial behaviour, and Members will want to make that distinction.

The motion refers specifically to zero tolerance, of which there are many definitions, including the definition that was used in New York. That gave police a non-discretionary policy to stop and arrest people on a regular and ongoing basis. Zero-tolerance measures were also taken by the police in Strathclyde and Hartlepool; however, those measures allowed for some discretion among police officers. Nevertheless, outcomes were effective. One of the strategies involved intelligence-led policing, and improving community relations with the police in order to tackle crime.

Some Members have acknowledged that addressing antisocial behaviour is not the sole preserve and

challenge of the police: it is a societal issue. It is not only in the North of Ireland that antisocial behaviour is increasing; it is commonplace throughout Britain, the island of Ireland and in many parts of Europe. That has, in part, to do with an increasing drink and drug culture.

Parents have to take responsibility. Although Members talked about bringing people before the courts, and, quite rightly, about the sentences that were handed down, it is important to realise that many offenders are well below the age at which they can appear before the courts. Therefore, if Members are serious about tackling crime, there must be a more focused approach, while making use of inter-agency resources to tackle those problems.

The Policing Board will meet during October to develop the policing plan for next year, and we will be holding the Chief Constable and his officers to account. Many people say, quite rightly, that there are higher levels of different and more serious crime. Thankfully, however, those crimes impact on only a small number of people. Our key priority is to challenge the police, whether at the Policing Board, or at the district policing partnerships, which are also drawing up their individual policing plans for each district command unit. The community and the Assembly must be shown that antisocial behaviour, and those crimes that are often defined as low-level crimes, are priorities for all of the district command units in particular, and for the Policing Board in general.

I acknowledge the work of community safety partnerships with regard to their inter-agency approaches. They are vehicles by which some of the zero-tolerance policies and the message regarding antisocial behaviour can be delivered.

Many Members made reference to the decreasing numbers of police officers. It is as a result of the Patten Report that, until at least 2011 we have 7,500 police officers. That is something that the SDLP wants to see maintained. When comparisons are made between the PSNI and UK forces, we are often told, as other Members have said, that we have a higher number of police officers.

However, the crime rates in England, Scotland and Wales are not decreasing. We hear cries from the political parties there that they need to improve and increase their numbers of officers. Therefore, it does not make sense to reduce those numbers.

Mr McKay: A Cheann Comhairle, I speak in favour of the motion as amended by the Alliance Party. Furthermore, I declare an interest as a member of the Policing Board. This is obviously an important debate. Unfortunately, hardly a week passes without the public being shocked at the types of crimes that are committed in the community, many of which seem totally senseless.

Earlier this year, the Assembly discussed the concerning rise in attacks on emergency workers. At that time, we in Sinn Féin, expressed our support for the work of the zero tolerance strategic group in tackling this issue. The attacks on emergency workers are mainly, if not entirely, down to, antisocial behaviour. That is just one example of the effect of antisocial behaviour on society.

Antisocial behaviour is a major problem in all communities. If it is not nipped in the bud, it can soon spiral out of control, and lead to assaults, robberies and murder. The PSNI needs to start tackling antisocial behaviour more effectively in rural and urban areas.

In my own constituency, I can think of at least one rural area, namely Loughiel, where there is a major problem with antisocial elements using runabouts, burning out vehicles and driving dangerously — sometimes while intoxicated.

4.45 pm

Such antisocial behaviour is also a pressing issue in some areas of our towns and cities. If it is not handled effectively, there will be more unnecessary deaths on our roads. Clearly, there are gaps in understanding between the PSNI and the Public Prosecution Service, and we are seriously concerned about the delays in legal proceedings and in the failure to prosecute successfully where appropriate. Following my party's suggestion, the Policing Board decided at a recent meeting to make resolution of that situation a priority. Sinn Féin is determined to ensure that people get the policing and justice that they so rightly deserve.

The failure of British direct rule Ministers to prevent the early release of a convicted rapist in County Tyrone has rightly outraged the public, especially since there was more than ample time to act in the wake of the tragic death of Attracta Harron. The Assembly must take responsibility for policing and justice to prevent such injustices from occurring in the future.

We must work to ensure that communities have real access to the criminal justice system in order that their concerns can be taken on board and furthered. All the criminal justice agencies must listen to and work with local communities to deliver good, impartial and effective policing.

I support the motion and the amendment. Go raibh maith agat, a Cheann Comhairle.

Mr Ross: During the debate, we heard reports from around the Chamber of various incidents of antisocial behaviour, attacks or murders occurring in each of our constituencies. That proves that nowhere is exempt from crime. I am glad that Members agree unanimously that the perpetrators of crime should be dealt with to the fullest extent of the law.

The horrific murder of Mr Harry Holland in West Belfast and the attack on an elderly lady in Dromore demonstrate the need for everyone to not only support policing but to assist police investigations and give evidence against those who are responsible for such gruesome acts.

Following the incident, the public outcry in West Belfast — as in other constituencies in Northern Ireland — reflected a demand for greater police presence and for a tough response to those who break the law. We have heard today that Northern Ireland is changing — for the better, I hope — as we move away from decades of terrorist attacks on our country towards a more prosperous and stable future. However, a consequence of that is a greater level of serious crime in our communities and on our streets.

We have a choice: we can say that that is to be expected, as paramilitary groups go through transition, or that it is unacceptable and that we must do something about it.

The motion calls for “zero tolerance”. As Mr Weir said, we automatically think of the achievements of zero-tolerance policing in New York under Mayor Guiliani, where major crime fell by some 39% and murder by some 49%. As my colleague Tom Buchanan said earlier, the PSNI reports that crime in Northern Ireland has fallen over the past five years. In my constituency, PSNI figures indicate that crime in Larne has fallen by some 21%, in Carrickfergus by some 22%, and in Newtownabbey by some 20%. Yet the public perceive that crime is on the increase. Public confidence in the police, particularly among the unionist community, is falling. We must do something about that.

Mrs I Robinson: I thank the Member for giving way. Will the Member join me in appealing to those students of Queen's University who live around the Holylands and who, each weekend, make life intolerable for the citizens of that community, to behave as sensible young adults? Those young people are trying to attain high academic resolution. It is in their interests, as well as in those of everyone else, to behave sensibly.

Mr Ross: I thank the Member for her intervention. She is absolutely right: those students must act responsibly. However, we must not forget that several student properties have been attacked recently. We must not always blame the students in those circumstances; we must consider each incident on its individual merits.

We can blame media hysteria or anecdotal evidence for the public perception that crime is on the increase. However, that perception may also prevail because we see crime and antisocial behaviour all around us, and we see that the police are not doing anything. As my colleague Jeffrey Donaldson said in his opening remarks, the PSNI clear-up rate is not as good as it should be. The public want to see results and visible

policing, and they want to see the police remove criminals from the streets and those who are involved in crime and antisocial behaviour to be arrested and prosecuted.

Any suggestion of reducing police numbers or cutting the police budget will be met with by massive resistance from the people whom I represent. We have already seen a massive reduction in police numbers in recent years, and we cannot allow any further reduction. As I have said, there is an outcry for public and visible policing.

As a public representative, my job is not to take every opportunity to slate the police. We must recognise that the police have a tough job, but it is important to highlight problems where they exist. We must ask what the role of the police should be: is it to police the streets, to make communities safer and to arrest those who break the law; or is it to act as social workers and take the idea of community policing to such an extreme that, in the eyes of the public, the police appear to become the friends of those who break the law?

I know of a family in my constituency who live opposite a youth centre and who have their cars attacked and their home pelted by stones every night. That family puts up with verbal abuse from a group of young people who attend the youth club daily. The youths are known to the police and to youth workers, but nothing happens to them. The police adopt a softly-softly approach in the belief that, somehow, they will befriend the youths, and the antisocial behaviour will end. Earlier, I heard Mr Attwood say that tough policing and tough justice are not always the answer. That is true but, in this case, the softly-softly approach is not working. I will be raising that matter during a meeting with the police in Carrickfergus tomorrow. Those youths must be arrested and charged, and a strong message must be sent out that anyone who engages in crime will face the toughest treatment for flouting the law.

Those who are involved in drug dealing, car theft, burglary, muggings and antisocial behaviour must be brought to justice. The most effective way of stopping those types of crimes is to remove the perpetrators from the streets through tough and effective policing, and tougher and more effective sentencing. I support the motion.

Mr A Maskey: Go raibh maith agat, a Cheann Comhairle. I support the motion and the amendment. I commend Jeffrey Donaldson for proposing the motion. Unusually for me, I also commend Stephen Nolan for the contributions that he allowed the general public to make during the last number of weeks, in the wake of Harry Holland's death. The outpouring from the general public has led to a reawakening that there is a need for a policy to which some refer as zero tolerance, although many do not like to use that term.

It is fortunate that there has been considerable agreement among the parties on a number of key issues. I am disappointed that one or two Members have introduced discordant notes to the debate, because the issue is too important for point scoring, or to make party-political broadcasts. I thank Members for their contributions so far; the vast majority have ensured that they have not used their speeches to score points, which has added value to the debate.

Each Member could mention anecdotally — or give first-hand evidence about — events in their constituencies. Although Peter Weir talked of an explosion in antisocial behaviour, I am sure that he is aware that the problem has existed for many years.

One of the heartbreaking facts that emerged after the death of Harry Holland was that a close family friend, who was on the scene shortly after the event, around midnight, had recently had the misfortune of burying his son, who was run down and killed by death drivers in Belfast. The problem of antisocial behaviour has existed for a long time, and it affects many areas and communities, so every Member has a vested interest in supporting the motion and the amendment.

I welcome the fact that most Members have courteously addressed the motion and the amendment. By giving their support to the motion, they support the general community. There has been a considerable amount of agreement among the parties. We may have different viewpoints on the deployment of resources, on a zero-tolerance policy, or on the various solutions that should be employed to tackle problems, but I remind Members that Harry Holland himself was a strong advocate of supporting young people. There are many solutions, but the single message from all parties is that we have — and will have — no toleration for the type of behaviour that resulted in the untimely and tragic death of Harry Holland. The same applies for other examples that were mentioned during the debate, including the serious assault on a lady in Dromore.

Members have stated that there should be no tolerance of that type of activity and that there is a need to ensure that resources, including those of the police, are adequately funded and appropriately deployed. It is recognised that a variety of solutions must be sought. Proper and appropriate prevention models must be devised. Members have referred to clearance rates. However, when clearance needs to be dealt with, the problem has already been created. Therefore, much more time, energy and creativity must be spent devising prevention models in order to ensure that such activity does not happen in the first instance.

In conclusion, it must be ensured that the wider criminal justice system is responsive to people's needs. I commend 'The Stephen Nolan Show' for offering people the opportunity to air publicly their opinions.

Although I do not necessarily agree with all the opinions that were expressed, it is useful that people have been able to state their views. The fact that the debate has taken place demonstrates how the programme and the public outcry have given leadership to the issue. The Assembly must now take the baton of leadership and run with it.

Society has stated that it will not tolerate antisocial behaviour. It expects rightly that the wider criminal justice family — not only the police, but the courts, the Probation Board, the Youth Justice Agency and other agencies — will row in behind communities, listen to and respond to them, and deliver a joined-up service. The Assembly has a responsibility to ensure that that happens.

Mr Beggs: I declare an interest in policing as the chairman of Carrickfergus District Policing Partnership. I also offer my sympathy to the family of the late Harry Holland for the horrendous tragedy that they have endured. It is deeply regrettable that young people who are involved in antisocial activity have become so out of control that, ultimately, someone has been murdered.

I support the motion and oppose the amendment that stands in the name of Dr Farry of the Alliance Party. I listened with interest to the discussion on 'The Stephen Nolan Show' on zero tolerance. It is healthy that his excellent idea to have a period of zero tolerance has resulted in a debate. I hope that such a policy and other subsequent changes will mean that society might experience a zero-tolerance approach, if only for an experimental period. In some communities, policing has reached the stage at which new policies must be tried in the hope that they will bring about improvement.

Antisocial behaviour and criminal damage cause particular problems because it is difficult to trace and identify the culprits. Community involvement, information and assistance are needed in order to solve those problems.

In June 2007, I was fortunate enough to shadow the police during a weekend shift and to witness some of the problems that they face. During the early part of the night, I was surprised when they came across some drunk and disorderly behaviour for which I would have expected arrests to have been made, but were not. Instead, the police generally talked through the situation, allowed the people to go home and, in some instances, assisted them to get home, even though they were being unruly and disrupting the peace. I did not understand why that was the case, but I was told to wait and see what would happen later.

There are limited numbers of police officers on the streets. Given that, it was explained to me that if someone is arrested, police officers could be involved in paperwork for that arrest for two or three hours before the culprit is taken to a custody suite. That means that

there are fewer officers on duty in some communities, particularly during the peak times of Friday and Saturday nights.

5.00 pm

Later that evening, a more serious incident occurred, which resulted in some people being taken in for questioning. Subsequently, I listened to a discussion about where they were going. There is a limited number of cells — there are none in Carrick. Cells were unavailable in Belfast or Antrim. I even heard talk of occasions when police had driven from Carrick to Banbridge to take culprits to cells. Therefore, a practical issue must be solved before we begin to think about a zero-tolerance policy. Capacity will have to be increased, as will the speed of processing those involved in criminality. Otherwise, the system will become clogged up and will result in a lack of cells in which to incarcerate criminals. Police officers will be taken off the streets to fill in paperwork, and no one will be available to deal with serious incidents of crime.

The wording of the Alliance Party's amendment to the motion causes me particular concern. It does not call on individual Assembly Members to lobby the Chancellor of the Exchequer or the Secretary of State for Northern Ireland about the policing budget. Instead, it calls for the "Executive to ensure" that there is adequate funding, and so on, and consequently makes those issues the responsibility of the Executive. Further on, the amendment states:

"in the event of devolution of policing and justice to the Northern Ireland Assembly".

That wording is loaded. I am concerned that it implies the acceptance of the devolution of policing and justice, something for which the unionist community is not ready. It does not have the confidence that the republican community has moved on.

On recent weekends, there have been mixed messages, resulting from the activity in Londonderry. If republicans are asked whether they should inform police about guns that are available in other republican communities, they give out mixed messages in reply. The time is not right, for the unionist community, for the devolution of policing and justice powers. I hope that, at some point in the future, policing and justice can be devolved. However, there is not a sufficient level of confidence at present, and it could have a serious, disruptive effect on the workings of the Assembly, let alone trying to work with policing and justice.

Mr G Robinson: I am a member of the DPP. I speak, with pleasure, in support of the motion. It is imperative that the condemnation of all vicious and cowardly crime against our citizens is total and unequivocal. It is also imperative that the victims of such heinous crimes, and their families, are aware that

the Assembly fully recognises the reality of crime in Northern Ireland and is seeking ways to address it.

I have absolutely no qualms in calling for a zero-tolerance policy on crime and the increasing problem of antisocial behaviour. Those problems are not limited to specific pockets in Northern Ireland but, sadly, it is a Province-wide phenomenon. Therefore, schemes are being put in place to address such problems. Just recently, a new scheme, costing £2 million, began to extend the CCTV coverage in our towns. The new CCTV cameras will, I hope, help to reduce crime and the fear of crime. They can also play a vital role in tackling antisocial behaviour by identifying those engaged in it. At the launch in Newtownards, the Policing and Justice Minister Paul Goggins, stated that:

"The Government is committed to working with local people and to make our communities safer and has committed £2 million pounds to this project."

He went on to state that:

"This valuable tool will act as a deterrent, but it will also help to secure vital evidence to support investigations."

Still later, he said that:

"there is no room in our society for those engaged in crime and anti-social behaviour and the launch of the CCTV cameras across Northern Ireland will help ensure that offenders are brought to justice."

Undoubtedly, there is a case for CCTV, which I support. I also support the benefits that it has for people's perception of safety and the increased likelihood of prosecution for antisocial behaviour and other crimes. However, it cannot, and should not, replace the one thing that inspires confidence in all of us — a policeman on the streets. Would the rioting in Londonderry's streets, at the weekend, have been so prolonged if more PSNI officers had been present, along with CCTV cameras? It was announced, recently, that the PSNI reserve is being reduced by 50%, amounting to a loss of 300 officers. Who, or what, can suitably replace them? I do not, and will not, believe that anything can replace those officers.

It is a crime to reduce the number of police officers by 300, thereby heightening the fear of crime in the community and decreasing the likelihood of arrests and convictions for antisocial behaviour, never mind for serious crime. The Assembly should speak with one loud voice and make it clear that a reduction in the number of PSNI officers or any attempt to cut the policing budget is totally unacceptable.

In a recent interview with Wendy Austin, the Chief Constable stated that Northern Ireland is not in a normalised policing situation. Given that view, the reduction in the number of officers, as well as any attempt to reduce the budget, represents a backward step in the effort to create a society in which people do not fear crime and are confident of the arrests and convictions of the perpetrators.

Since the Patten Report and the politically engineered demise of the RUC, the number of police officers on the streets has declined. People are already concerned that the number of officers has been reduced by too much and too quickly. Only more police officers on the beat, with the financial resources at their disposal to continue to do their jobs properly, effectively and for the whole community, can rectify the situation. CCTV alone cannot do so. I thank my colleague Jeffrey Donaldson for bringing the motion to the House.

Mr Shannon: Will the Member give way?

Mr G Robinson: I support the motion. *[Laughter.]*

The Junior Minister (Office of the First Minister and the Deputy First Minister) (Mr G Kelly): Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to the motion and amendment on behalf of the Executive. I join with other Members in expressing my shock and deep sadness at the tragic and senseless murder of Harry Holland. I know that everyone in the Chamber, the local community and the towns and cities shares my outrage.

Rinne an Feidhmeannas seo comhbhrón le teaghlach Harry Holland agus iad ag fulaingt go dian ag an am seo. Tá súil agam go rachaidh said i láidreacht mar gheall ar an tacaíocht a fuair said sa bhaile agus níos faide anonn.

The Executive have already extended their condolences to Harry Holland's family at this difficult time, and we hope that the family will draw strength from the overwhelming outpouring of support from so many people in the community and further afield. From all parties, every Member who has spoken in the debate has referred to the killing of Harry Holland as a turning point in the determination to stand against the criminality that is perpetrated by a small number of people who set themselves against their communities and society as a whole.

The recent attack on Winnifred Irvine in Dromore must also be condemned. That deplorable act is particularly upsetting because she is a frail 88-year-old woman who lost possessions of great sentimental value that she had collected over a lifetime. If we are to build a peaceful, just and prosperous society in which everyone is respected, no place exists for the attitudes and behaviour that lead to such attacks. Above all, the right of individuals to live their lives free from intimidation, threat or harm must be respected.

Yesterday morning, I was delighted to launch the UN international day for older people, and Members will know that it is also age awareness week. Therefore, it is both timely and appropriate that the Assembly voices its support today for the welfare and safety of older people. OFMDFM's strategy document for older people, 'Ageing in an inclusive Society', recognises the need

to tackle crime against older people. It includes the strategic objective:

“To ensure that older people have a decent and secure life in their home and community”.

OFMDFM will work closely with older people's representatives and with colleagues from other Departments to ensure that that objective is met.

The 2005 crime survey found that older people worry more about crime. The impact of the fear of crime on their quality of life is higher than for other age groups. Indeed, Basil McCrea referred to the long-term effect that the attack will have on Winnifred Irvine for years to come.

It is important that we quantify the debilitating effect that the fear of crime can have on older people. That fear can often compound the sense of isolation that many older people experience. Our society should not tolerate criminal behaviour, such as robberies and assaults, against any section of the community. Those attacks are wrong, and anyone with information about them should bring it to the police.

Tackling antisocial behaviour is a key issue. I understand that the NIO's community safety unit has, along with several partners, directly funded a number of projects to reduce such behaviour. We also have our part to play. For example, the Department of Education is committed to providing a range of programmes designed to help combat antisocial behaviour by helping young people to develop their social and personal skills and learn to respect others. It is vital that we tackle all the causes of that disruptive behaviour.

It is important that we focus equally on preventative measures, which have the most desirable outcome of any intervention in that they can prevent the crime from occurring in the first place, prevent someone from becoming a victim of crime and prevent young people from ever entering the criminal justice system. In the middle of this debate, it is worth remembering, as Gerry Adams pointed out, that the vast majority of people in our community are good, decent, law-abiding citizens. That is a strength that we must use against the small minority who are involved in criminality.

I recognise the concerns raised by Members about whether sentences received by offenders are appropriate to their crimes. That is clearly a difficult area, and a number of conflicting issues need to be considered. I will ensure that the NIO is made aware of the House's views.

A number of Members mentioned the level of resources that has been committed to policing. I understand that the NIO has indicated its commitment to ensuring that the PSNI has sufficient funds to maintain a fully effective and responsive police service, and I welcome that. It is important that we continue to ensure that resources are commensurate with the needs of the community, particularly the needs of the most

vulnerable in our community. We must further ensure that that need is continually reviewed in order that the PSNI can respond promptly and appropriately. The NIO has further indicated that the PSNI baseline budget has not been reduced and that discussions are ongoing about the level of funding that will be available up to 2011. I will ensure that the NIO is aware of the views of this House on that matter also.

As a number of Members mentioned, the Assembly and Executive Review Committee is carrying out an inquiry into the devolution of policing and justice. I am sure that the Executive will consider carefully the appropriate level of funding when the devolution of policing and justice takes place.

The Executive have already recognised the importance of creating a new society, free from attacks of this nature. As I have said before in the House, the Executive are totally committed to moving society forward and to making a real difference to the lives of all our people. I acknowledge the concerns that Members have raised today, especially about attacks on the most vulnerable in our society and the level of resources provided to the PSNI. I will ensure that a copy of today's Hansard report is sent to the Secretary of State for his information.

At the start of the debate, Jeffrey Donaldson, who, along with others, brought this motion to the Assembly, said that the Assembly must send out a resounding message that crime is not acceptable and that the community is fighting back. That is very true. I also welcome Stephen Farry's comments on zero tolerance. There are many different interpretations of the meaning of zero tolerance, but he described it as the “broken windows” theory: dealing with the small issues prevents other, bigger issues from occurring at a later date. That is a very important interpretation of the expression, because it is sometimes used completely out of context.

There is no acceptable level of violence, and another Member — forgive me, I can not remember who — said that the Assembly must show leadership. Despite some of the political point-scoring, the message from right across this Assembly is that we are at a turning point, and we are showing leadership in that matter. Go raibh maith agat, a LeasCheann Comhairle.

5.15 pm

Dr Farry: My amendment is not a Trojan horse that locks Members into a particular timetable for the devolution of policing and justice or tries to force the pace. Essentially, the amendment is about the funding that the Assembly will be putting in place if and when — I hope it is a question of when — policing and criminal justice powers are devolved.

All parties here are supporters of the St Andrews Agreement, which envisaged the devolution of policing and justice. From the Alliance Party's point of

view, it is right that policing and justice should be devolved to the Assembly as soon as possible.

Mr B McCrea: Will the Member give way?

Dr Farry: I am sorry, no.

Important advantages would accrue in the event of the devolution of policing and criminal justice, such as cross-community ownership of policing, improved accountability, and the ability of the Assembly to allocate resources to address the needs and wishes of society as a whole.

Mr Donaldson: Will the Member take it from me that there will be absolutely no question on this side of the House about our Ministers ensuring that resources will be made available to ensure effective front-line policing when devolution takes place? That is not the issue. The problem with the amendment is that it detracts from the central message that we want to send out, which is about zero tolerance of crime and antisocial behaviour. Would it not be better to avoid dividing the House on the issue so that we can all speak with one clear voice?

Dr Farry: I take on board what the Member has said, and I take some reassurance that the parties in the Executive are serious about ensuring that resources will be put in place. I also think that there are advantages in the Assembly's sending out a clear message today that it will not be asking the Northern Ireland Office to provide a level of funding that it is not prepared to match, if and when policing and justice powers are devolved.

The Alliance Party believes that the timescale for the devolution of policing and justice should be determined largely by the conditions being in place rather than the demands of an arbitrary timetable. However, we differ from both unionist parties in our belief that devolution can be achieved in a relatively short time frame and that, in fact, the Assembly should be building confidence towards realising that aim. Devolution of powers may not happen by May 2008, but we should attempt to achieve it as soon as possible.

For my party, community confidence is not about the bona fides of those in the Assembly who may take responsibility for policing and justice. Those issues were addressed in advance of the restoration of the Assembly. The key consideration is whether the Assembly can operate in a coherent manner, and, in particular, whether the Executive can co-operate on the basis of collective responsibility. We have not seen much sign of that, not least on the evidence of Assembly debates in which Executive parties have been unable to give common support to motions. The delay in appointing a victims' commissioner, for example, does not inspire confidence that the Assembly is capable of taking responsible decisions.

Indeed, the Ulster Unionists referred to the fact that Gerry Kelly is here as the Executive's representative. Their comments are rather bizarre, given that the nature of the Government that we have here is a product of the Good Friday Agreement of 1998, which they supported. Sinn Féin was part and parcel of that process and participated in the previous Administration in which the then leader of the Ulster Unionist Party was First Minister. Therefore, we need to know from the Ulster Unionists: are they part of this Government or are they not? They cannot have it both ways. The people put Sinn Féin into office.

Mr Kennedy: Well, we are and you are not.

Dr Farry: We are here as an opposition party. The Ulster Unionist Party needs to make its mind up as to whether it is in opposition or in Government: it cannot have it both ways.

Mr Speaker: Order. The Member has the Floor.

Dr Farry: The fundamental issue is resources: that is what the amendment is about. It is not about letting the Northern Ireland Office off the hook and sending out a signal that it can pass the buck to the Assembly. The amendment is about recognising that we are serious about tackling crime and antisocial behaviour in Northern Ireland and sending out a strong message that we are serious about putting adequate resources in place.

There are pressures on policing across the United Kingdom, and all forces are demanding additional resources. Any British Government will carefully consider how they allocate those resources. Rather than being weakened, the Assembly's case is strengthened by stating what it would do in the event of the devolution of justice and policing. Indeed, next week will bring the results of the UK-wide comprehensive spending review, which may be an indication of what to expect in the short term.

Several Members have said that the issue of zero tolerance is a complex one that must be given proper consideration. Members have said that there are multiple ways of dealing with this issue. It is not just a matter of being punitive, because that requires resources. We must ensure that a range of agencies take responsibility for dealing with what is a complex and difficult issue. Society as a whole must be reassured that people are safe from crime and antisocial behaviour, and that there will be a robust, effective and proportionate response from the authorities when crime and antisocial behaviour occurs.

I request that the amendment be put to a vote because we must send out a message of consistency.

Mr Simpson: I also declare an interest as a member of the Northern Ireland Policing Board. During the debate, we have heard that policing is an issue that

goes right across the political divide. Antisocial behaviour is a major issue for the whole community.

The motion can be broken down into three parts. Each of those matters, taken separately, ought to enjoy the unanimous, unreserved and wholehearted support of every Member. Taken together, they demand the support of every Member, and lay serious questions at the door of anyone who fails to do so.

The first part of the motion addresses the murder of Mr Holland and the attack on an elderly resident in Dromore. That highlights a growing concern for many people. I add my condolences to the family of Mr Holland, who I understand are attending this debate. Our sympathy is with them for the tragic way in which their family member died. To victims, their neighbours and their families, it does not matter one iota how low the chances are of being subjected to such a crime. The fact that such attacks occur demands that political representatives of each and every shade of opinion must stand up with one voice and cry against them.

All Members can point in our constituencies to antisocial behaviour, rapes or attacks on children. I have met many of my own constituents who have been victims of violent crime, and I know that other Members have done likewise. We have a duty to send out the message that all the people in all our constituencies have the support of all the Members of the Assembly.

Mr Shannon: Will the Member express his concern, along with me and many other Members, at the announcement that 54 full-time Reserve officers are to go from C division between now and April 2008? Full-time officers are an integral part of police strategy for C division and the Ards area. Does he further agree that they are needed to deliver the level of policing that is demanded and expected by the community and the populace?

Mr Simpson: Yes, I agree with those sentiments and I will deal with that later in my speech.

We must be crystal clear on the issue of zero tolerance. Zero tolerance must include support for crime-prevention measures, victim support in the aftermath of crime, support for the police as they go about their investigations, and demands for proper and proportionate sentences when people are apprehended.

Mrs Kelly said that not all young people are guilty of antisocial behaviour, and I accept that. I have been involved in youth work for over 20 years, and there are many good young people out there. Antisocial behaviour is carried out by a small percentage of people who are bent on creating havoc among the community. I accept Mrs Kelly's sentiments on that matter.

Gerry Adams said that the majority of people in west Belfast are hard-working, and I accept that. However, it is important for his party to come out and

fully support the PSNI, without any preconditions. Recently, members of the Policing Board agreed to send out letters of congratulations to PSNI officers who received honours in the Queen's Birthday Honours List, but Sinn Féin members said that they were taking nothing to do with it, which sent out negative vibes to the unionist community. That was a simple issue, but it sent out negative vibes to the unionist members of the Policing Board.

Mr A Maskey: I thank the Member for giving way. Does he agree that Sinn Féin members of the Policing Board, along with him and his party colleagues, have been extremely productive and constructive in recent months? I expect the Member to acknowledge that Sinn Féin members have demonstrated that commitment, and that it has been acknowledged by all of the PSNI senior management team. I look forward to working constructively with the Member in the future.

Mr Simpson: There has been a certain amount of work in relation to moving forward on the issue of policing, but my point is that when such a statement is made by members of the Policing Board, it sends out negative vibes to the unionist community. We have a long way to go on the policing issue, but I hope that things will work out and that we can send out a message to the unionist community that we are here to deliver policing. I have to wonder where the corporate responsibility lies when it comes to policing. That needs to be addressed.

The recent release of Eamon Foley, who was convicted for the rape of 91-year-old Mary-Anne McLaughlin, is nothing short of a national disgrace — a disaster, an absolute disgrace. On the issue of 50% remission for sex offenders, Minister Goggins gave a commitment to me in the Northern Ireland Grand Committee on 24 July. He stated that:

"The simple fact is that in Northern Ireland, too many victims of sexual crime and domestic violence do not have the confidence to come forward, and they need such confidence. They need the help of the police service, the prosecution service, voluntary organisations and others to sustain successful prosecutions and bring perpetrators to justice, and I shall join him in ensuring that we do better on that issue."

Dr Farry said that there was insufficient public confidence to devolve policing and justice powers. In a recent MORI poll carried out for the 'Belfast Telegraph', only 19% of the community said that there was confidence to move forward, so we have a long way to go.

If the Assembly believes that it must get policing right, Members must send a signal to the public that we are determined to do so and to advance with a zero-tolerance policy. Mr Weir referred to New York: when a zero-tolerance policy was introduced there, crime plummeted. If a similar policy were adopted in Northern Ireland, it would send out a signal to those who harass our senior citizens and commit vicious

crimes and murders across the entire community. If every Member supports the motion, a positive signal would be sent across the political divide that the Assembly is determined to resolve policing when there is sufficient public confidence.

5.30 pm

Mr McNarry: During another emotional debate not so long ago, the president of Sinn Féin asked unionists whether they were listening. He then told us that he was listening. Does my honourable friend agree that the president of Sinn Féin now has the opportunity to express those same sentiments in response to what is being asked?

Mr Speaker: Unfortunately, the Member's time is up.

Mr Simpson: I will say yes.

Question, That the amendment be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly condemns the recent murder of Mr Harry Holland, and other crimes, including the assault and robbery of an elderly resident in Dromore; supports the call for a zero tolerance policy against crime and anti-social behaviour on our streets; and opposes any move by the Northern Ireland Office to cut the policing budget or reduce the number of officers in the Police Service of Northern Ireland.

Adjourned at 5.32 pm.

NORTHERN IRELAND ASSEMBLY

I know that the House wishes Mrs Devon every success as she joins the Northern Ireland Assembly for a short period.

Monday 8 October 2007

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr Attwood: On a point of order, Mr Speaker. I wish to address a matter that has just arisen. This morning, Members received in their pigeonholes a letter from the Office of the First Minister and deputy First Minister (OFMDFM) — signed by both Dr Paisley and Mr McGuinness — that advises of their proposed process in respect of the appointment of the Commissioner for Victims and Survivors. The First Minister and the deputy First Minister now wish to re-advertise that position.

Is it in order, on a matter of heightened public interest, if not concern — and on a matter that has been debated far and wide among the Northern Ireland public — that neither the First Minister nor the deputy First Minister has come to the Floor of the House to make a statement and to take questions from Members?

Is it in order that the height of the respect for this Chamber of the Office of the First Minister and deputy First Minister is such as to send a minute to Members, rather than to come to the Floor —

Mr Speaker: Order. I ask the Member to take his seat. I have listened to the point of order. I shall take the matter to the Business Committee and report back to the Assembly as soon as possible.

At the sitting on 24 September 2007, when I announced the retirement of the Clerk to the Assembly, Mr Arthur Moir, I reported that the Assembly Commission was taking steps to ensure the continuity of service to the Assembly.

In that regard, the Commission has asked me to announce the appointment of Mrs Carol Devon as interim Clerk and Chief Executive with effect from 17 October 2007. Mrs Devon is currently employed as Director of Access and Information at the Scottish Parliament and previously served the Parliament as Director of Clerking and Reporting.

MINISTERIAL STATEMENT

Further Education Lecturers' Pay Dispute

Mr Speaker: I have received notice from the Minister for Employment and Learning that he wishes to make a statement on the current position of the further education lecturers' pay dispute.

The Minister for Employment and Learning (Sir Reg Empey): Today, I am pleased to announce the appointment by my Department of an independent adviser to facilitate an agreement in the further education lecturers' pay dispute. Sir Joseph Pilling, a former permanent under-secretary in the Northern Ireland Office, has agreed to act as the independent adviser in the dispute.

Sir Joseph is eminently qualified for the role, having had experience of industrial relations in the Department of Health and in the prison service of England and Wales.

The terms of reference for Sir Joseph, which have been agreed by college employers and the lecturers' unions are to explore the position of each interested party including, in particular, the employers and unions; and, using the insights that this provides, to facilitate a settlement of the dispute, which is acceptable to all interested parties.

Any settlement arising from the study will be compliant with the Government's public-sector pay policy, the continued application of which in Northern Ireland has been endorsed by the Executive. It is in the interests of all concerned to get this process under way as soon as possible, in the hope of an early resolution, perhaps by the end of 2007.

This initiative has arisen from my recent discussions with college employers and with lecturers' unions on what can be done to bring to an end this long-standing pay dispute, which is starting to impact on students' education. It is clear to me that discussion between both parties needs to resume as soon as possible. A resolution to the problem will come about only through discussion and dialogue.

The appointment of the independent adviser, with his expertise and independent status, will facilitate this process. In the meantime, and without prejudice to any further negotiations on pay, I have suggested to the unions that lecturers accept the pay offer for 2006-07. Management is also in a position to make a similar basic pay offer to lecturers for 2007-08 as part of a two-year pay deal. If the offers were accepted by the unions, the pay increases could be in the pockets of lecturers by Christmas.

I am convinced that the appointment of Sir Joseph Pilling as independent adviser is a positive development in the dispute and that his work will be pivotal in

helping to remove the impasse that currently exists in the negotiations.

With goodwill on all sides, I hope that it will be possible to bring an end to the dispute and to restore normal service in colleges for the benefit of all concerned.

The Chairperson of the Committee for Employment and Learning (Ms S Ramsey): Go raibh maith agat. I thank the Minister for his statement. I would like to say a few words on behalf of the Committee.

The issue came to the attention of the Committee at its first meeting on 16 May 2007 and has been on its agenda, in some shape or form, since then. The Committee has met the employer and trade union sides and is supportive of the principle of pay parity. The Minister has been helpful in keeping the Committee up to date, and I thank him for that. He has contacted me personally on several occasions in order to keep me up to date so that I can, in turn, update Committee members.

The Committee has worked hard to understand the dispute and, in particular, to assess the implications of the public-sector pay policy. Despite the restrictions within which the Committee is working, I stress that it views this dispute as being extremely damaging, and everyone must work together to ensure that it is resolved.

The Committee has not had the opportunity to discuss this ministerial statement. However, there is universal support for the renewed negotiations, and I hope that there will be a fresh impetus on both sides to find a clear way forward on this critical issue. With that in mind, will the Minister tell us when he expects the new round of negotiations to get under way and whether he will continue to keep the Committee fully up to date about progress and, we hope, outcomes? Go raibh maith agat.

Sir Reg Empey: The Committee, in order to fulfil its obligations, must be given as much information as possible, and I have endeavoured to do that. The Department for Employment and Learning will seek the help of the Committee in all these matters to ensure that students in our further education colleges receive the best possible service. It must be remembered that those colleges form a significant part of our economic development strategy, which is why the issue is important to the Department.

The Member specifically asked when the negotiations would start. As soon as the debate on my statement has finished, the first meeting will take place between Sir Joseph Pilling and officials from the Department of Finance and Personnel (DFP), and he will then meet me at lunchtime. Tomorrow, Sir Joseph hopes to meet officials from the Department for Employment and Learning, and the employer and trade union sides. Therefore, the negotiations are getting off to a quick start. In my statement, I said that I would like the process to be completed by the end of the year, but I do

not want to prescribe that time frame unnecessarily. If more time is needed, that will be fine.

Mr Spratt: I thank the Minister for his statement and for his commitment throughout this process. I also thank him for keeping the Committee fully apprised about any ongoing talks.

Given Sir Joseph Pilling's remit, will the Minister tell us whether Sir Joseph will be in a position to speak to Treasury officials to see whether that impasse can be broken?

Sir Reg Empey: DFP is the main link in the relationship between the Northern Ireland Administration and the Executive. As soon as the debate is finished, Sir Joseph will meet DFP officials, with whom he will discuss the mechanics of how we might engage with the Treasury. A report from the Sub-Committee on Public Sector Pay referred to "efficiencies", but we do not know exactly what that means. There are also some technical matters to be discussed. Without protocol being broken, DFP officials will be able to facilitate a channel being opened to the Treasury to find out exactly what is meant by the word "efficiencies".

12.15 pm

Mr McClarty: I thank the Minister for his statement this morning and congratulate him on giving this issue the priority that it undoubtedly deserves. I ask him to gaze into his crystal ball and outline what he thinks this might mean for the industrial action being taken by the lecturers.

Sir Reg Empey: The Member will be aware that there have been about seven strike days over the past 15 months or thereabouts. On 18 September, University and College Union (UCU) members and their colleagues wrote to the employers advising that they were preparing to step up industrial action. At the moment, the action is taking the form of not providing the college authorities with information on attendance at certain classes, and various other matters. The letter announcing the potential escalation of the industrial action highlighted matters such as non-compliance with the education maintenance allowance procedures, which would impact on the allowances being paid to students. I have indicated great concern at that proposal.

In the notes that I have been dealing with recently, I have said that I hope that, bearing in mind that the unions have to consult their members and their branches, when those talks commence, the best possible circumstances in which they could proceed would be in the absence of industrial action. I hope, therefore, that that action can be suspended once the union members are absolutely clear that the Department — and, I am quite sure, this House — is taking the process seriously. I would not have asked a senior person of Sir Joseph's standing to come into this if we were not taking it seriously. I hope that, after consultation, the members of the trade unions

will see fit to suspend their actions. However, that will be a matter for them to discuss with the independent adviser. I look forward to an early decision on the matter.

Mr Attwood: I welcome the Minister's statement and his presence on the Floor of the House this morning, in contrast to one or two of his Executive colleagues. I note that, in response to Mr Spratt's question about a facility whereby Sir Joseph Pilling may have access to the guardians of pay policy in London, it is my sense that, in the fullness of time, those guardians will have to bend on this issue when it comes to pay policy in the North.

Given that the terms of reference are silent on the issue of pay parity for the further education sector in Northern Ireland, and given that this is at the heart of the dispute, will the Minister confirm that it is his wish that the issue of pay parity be now met?

Sir Reg Empey: It is inconceivable to me that that issue would not be first and foremost in the minds of the trade unions when they meet Sir Joseph and the employers. In relation to the first point, about the Member for South Belfast, all Members know that there are certain protocols in dealing with the Treasury. However, officials from DFP have been extremely helpful to my Department throughout the process, and I am not anticipating any difficulties. It is important that people do not go off at a tangent and leave DFP unsighted. We are having very open discussions, and we are not confronting any difficulties. Those who are responsible for making and implementing the policy in London will be fully involved and consulted, and questions will be asked.

Pay parity is the issue. However, there are wider issues here. If we go down that route, terms and conditions will start to come into it, and there are considerable differences there.

I assure the Member that all those issues will be discussed. The terms of reference have — quite deliberately — not been drawn up in a prescriptive manner. I am not trying to rule out anything; I am trying to create the circumstances in which members of trade unions and the employers can bring all the issues to the table. Parity will be one of them. However, there are two sides to that coin: the money side and the terms and conditions. The terms of reference are such — and were designed as such — that they will allow a free and open discussion to take place between the two sides, under the chairmanship of the independent adviser.

Ms Lo: I thank the Minister for his statement, and I very much welcome the appointment of Sir Joseph Pilling. It is of great urgency and importance that this matter be resolved as quickly as possible. I welcome the Minister's effort and commitment in trying to facilitate a meeting between the employer and the employees. Essentially, as other Members have said, it

is about trying to put pressure on, and work with, the Treasury to resolve the UK public-pay restrictions in Northern Ireland. At a time when the new colleges are up and running, and with the start of the new term, it is vital that Members support further education lecturers in their demand for fair pay.

Sir Reg Empey: I thank the Member for her contribution. As she said, the colleges have been amalgamated to form new ones, and it would have been my hope that those could have started off, on 1 August 2007, with the lecturers, on whom we depend to deliver the policy, feeling happy and comfortable with their terms and conditions. That has not been the case. However, given the situation as it stands, I felt that it was important not to leave the issues to fester and that some initiative was required to move the matter forward.

The Treasury has a national policy on public-sector pay, which the Executive have endorsed. Again, in the debate on this issue on 26 June 2007, I made it clear that it was the most bizarre industrial dispute that I had ever been involved with. Everyone wanted to settle it, everyone had agreed to settle it, the money to settle it was there, but it could not be settled because of a national pay policy. That has created huge frustrations. As long as that frustration is there, combined with ongoing industrial action, there is always the risk that an event will take place, the employer will take action, and the dispute will escalate, with the upping of industrial action.

Although it is true that the Treasury sets the policies, it does not have to deal with the downstream consequences. That is the difficulty that we face. That is why I said earlier that I hoped that, on a without-prejudice basis, the lecturers could accept the money that has been offered, if for no other reason than to put it in their pockets this side of Christmas. That would not constrain them—it is a without-prejudice offer—in the event that there were to be a change in public-sector pay policy. I hope that the lecturers will accept the offer.

It is important, however, as the Member said, to ensure that there is the best possible atmosphere and commitment in the new colleges, if we are to get the best possible result for the people we represent.

Mr Newton: Like my colleagues, I welcome the Minister's statement. It is an issue that needs to be resolved, and not only in the context of the further education lecturers; it is important to the economy of Northern Ireland.

I note that Sir Joseph has been appointed as an independent adviser. As the Minister stated, Sir Joseph is eminently well qualified for the role and obviously enjoys the Minister's confidence. However, will the Minister tell us whether his Department will be bound by the report's findings when it is published?

Sir Reg Empey: Standing Orders do not bind anyone to act on the findings of any report. However, public-sector pay policy is the overarching framework within which we must work. We must also be aware that a determination that was issued in February 2007 is on the record already. Having said that, there is a certain lack of clarity in some of the comments that have been made about efficiencies. I do not know exactly what creating efficiencies would mean in practice. A fresh proposal or approach could be made to the Committee for Employment and Learning if circumstances were to change.

Although I will not be bound by the report, and I do not think that any party to the dispute will be, if we were not taking the issue seriously, we would not bring in a senior career civil servant of Sir Joseph's standing. Moreover, we would not go through the whole exercise, if we were going to cast aside the study's findings lightly. I emphasise that the point of appointing someone of such standing is to send a clear signal to employers, unions and the public-sector pay bodies that we are taking the matter seriously and that everybody should look carefully at the outcome of the study. I am not legally bound by the study, but I intend to return to the House as soon as is practicable with a response to it. At that stage, whether I make another statement, whether we have a debate or whether the Committee intervenes, I want to ensure that Members are as fully involved in the matter as they have been heretofore.

Mr Butler: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and for his continued efforts to resolve the dispute.

The Minister's statement says that the settlement must be:

“compliant with the Government's public-sector pay policy”.

That creates the perception that the unions have agreed to that policy. My understanding is that they would oppose any settlement that is restricted within the parameters of public-sector pay policy.

Will the Minister also clarify whether the terms of reference are such that the independent adviser will explore, if requested, the basis on which lecturers here belong to the only group in the educational sector that falls under the public-sector pay policy?

Sir Reg Empey: It seems inevitable that that fact will be addressed. I held meetings on either 7 or 14 September with representatives both of the trade unions and the employers, and when I met with the unions, national officials came to the Department along with local officials. Therefore, I met with a high-level delegation. They discussed the situation in Wales, and they mentioned all the issues that the House debated before the summer. As I said, the terms of reference are as broad and as open as I can make them. Notes are attached to those terms of reference,

and they are essentially statements from me, but I understand the unions' position on public-sector pay policy. I am not trying to force them into accepting or endorsing any particular policy, but we all live in the real world. Therefore, I must say — the Executive have endorsed this — that we are bound by current policy.

12.30 pm

However, I am unclear — as, it appears, is everyone else — over some explanations of what the Sub-Committee on Public Sector Pay meant by “efficiencies”. I am sure that Sir Joseph will look at that. I am sure that the honourable Member knows that there is no way in which trade unions are going to meet with employers and Sir Joseph and not raise his point about how their position compares with that of other workers in the same sector. It is precisely the type of forum in which those points can be raised. Although Sir Joseph is described as an independent adviser, he will also be an interested party, as will my Department and DFP. We are trying to attach some gravitas and weight to Sir Joseph's role so that, when he comes up with his recommendations, everybody, including the Sub-Committee on Public Sector Pay, will take them seriously.

I have left the terms of reference, which have been accepted, as broad as possible. Let us allow the negotiations to take place in the best possible atmosphere that we can create, so that there will exist at least some possibility of a successful outcome. If we continue with the trench warfare that we have been in for the past lot of months, we will get nowhere, while the students and the colleges will continue to suffer. The employees are unhappy, and that does not make for the implementation of a successful policy in the further education sector. That must be self-evident.

I hope that the objective of the initiative will not be to restrict people in what they can say and what issues they can raise, but, nevertheless, I am obliged to set out the context in which we are operating.

Mr McCausland: I welcome the Minister's statement. There is widespread interest in, and concern about, this issue. Will the Minister confirm whether he has discussed the pay offer for 2006-07 and 2007-08 with the trade unions, and, if so, will he outline their response?

Sir Reg Empey: The Member will be aware that the actual pay offer for 2006-07 and 2007-08 is primarily a matter for the employers and the employees to agree. It would not be normal for the Department to be involved in those discussions — but for one issue. When it became clear that this was within the scope of public-sector pay policy, the Department had a role to play. Our role was to ensure that that policy was adhered to. If not for that, we would have played no role in the industrial relations between the employers and the trade unions. That is how we got into the position that we are in.

The Department, along with the unions and employers, made a submission to the Sub-Committee on Public Sector Pay at the end of 2006. That submission was subsequently adjudicated on in February 2007. Hitherto, we would not have been party to the actual negotiation of terms and conditions and pay. Our role was created only because of the existence of the public-sector pay policy. That is how and why we became involved. We have not been involved in the minutiae of negotiations — that is between the unions and the employers — but their agreement triggered a reference to the Sub-Committee on Public Sector Pay, and that is where we came in. Both sides were agreeable to paying the agreed offer. The Department had no anxieties over paying it, but when the policy was imposed, and it was deemed that the offer had to be referred, that was the point at which we arrived at the position in which we currently find ourselves.

I hope that the pay offers that have been made can be accepted on the basis that I outlined earlier — at least for the current year — without prejudice to any subsequent change in attitude by the Sub-Committee on Public Sector Pay.

Mr Gardiner: First, I commend the Minister for his swift action in trying to resolve this difficulty. Would he be prepared, if invited, to help the Minister of Education to sort out the classroom assistants' dispute?

Secondly, under the pay policy, what scope is there to improve lecturers' pay?

Sir Reg Empey: That is what might be called a leading question, Mr Speaker. Are those still allowed in the House?

I will deal with Mr Gardiner's second point first. As I tried to explain, at present, the scope for improving lecturers' pay is limited, and DFP has been interpreting what exists. A referral to the Sub-Committee on Public Sector Pay is triggered only if DFP believes that a proposal exceeds the limit. DFP determined that measure last year — hence the referral.

Pay percentages may increase in some circumstances, such as when there is clear evidence of a lack of retention of lecturers. Even though there were pockets where that was so, it was not the case generally, so the Sub-Committee on Public Sector Pay ruled out that option.

The Sub-Committee will want to explore what scope there is for efficiencies, and how that is interpreted and understood not only by DFP but by the Treasury. Those areas must be explored. I say to the honourable Member that we must wait and see. Although I do not want to overstate the position, I want to ensure that the negotiations take place in the best possible atmosphere.

The Member's first question was whether I was prepared to help my colleague the Minister of

Education to resolve the classroom assistants' dispute. I will confine my remarks to saying that that is a matter for her, Mr Speaker.

Mr Durkan: I join other Members in thanking the Minister for his statement, his wider efforts and the initiative that he has taken. Does the Minister agree that lecturers are, through their work, providing benefits and key services not only to students but, in many instances, to communities, community organisations, other public services and, increasingly, businesses and small businesses through the Further Education Means Business review programme.

Even though the Minister mentioned the handful of days of industrial disputes in the past couple of years, one must remember that lecturers have delivered positively on that agenda and have delivered positively on college mergers. It is in that context that lecturers' frustrations must be fully understood and appreciated.

The Minister referred to the pay offer for last year and this year. He said that it could be in people's pockets by Christmas. Will the Minister inform the House of the sums involved so that we might be able to understand their relevance to the lecturers' frustrations?

Does the Minister agree that the exercise that Sir Joseph Pilling will be undertaking is similar to the hole in dear Liza's bucket? No matter what the unions and employers say, it comes back to the issue of the perverse adherence to public-sector pay policy. It is a self-contained grievance and anomaly, which should be resolved on its own terms, without threatening any wider run on public-sector pay policy.

Sir Reg Empey: I am grateful to the Member for his comments. He has a keen interest in the matter and has already expressed concern to me in correspondence on a number of occasions in recent weeks. First, I accept, agree with and endorse his comments that the lecturers provide a beneficial service not only to the colleges but to the wider community. I am also pleased that he mentioned the link with business, because that is becoming increasingly important and significant. It is unfortunate that that relationship is growing against a backdrop of an industrial relations dispute. That business link provides an even greater incentive to get the dispute resolved as quickly as possible.

The Member is correct that the dear-Liza-and-her-bucket scenario is an anomaly, but we have to examine some of the reasons for that. It is an anomaly because, as a Member for West Belfast Mr Butler said, lecturers are the only educational workers that are caught in this dispute. Why is that? Has there been a structural change as to who negotiates their terms and conditions and how that is done? The link between teachers and lecturers in Wales, for instance, will also have to be examined. If we get involved in a headbutting session with the Treasury, the Member knows better than most

in the House that that will lead us nowhere. Therefore, we must keep as many options open as possible.

The offer for 2006-07 was in the region of 3.49%. There was a further cost of living offer of 2% for 2007-08, and other adjustments made that slightly higher. However, bearing in mind that that would be applicable from September 2006, quite a lot of back payment is available. There is, perhaps, an opportunity for immediate benefit without people having to accept an offer that, should public-sector pay policy change, would leave them trapped. That was not the intention for 2007-08.

I apologise to Mr Butler — a Member for Lagan Valley — for misnaming his constituency.

That is the current position, and I thank the Member for Foyle for his ongoing interest in the matter.

Mr Ross: I also welcome the Minister's statement, but I seek clarification on one point. The terms of reference set for Sir Joseph are:

"To explore the position of each interested party, including, in particular, the employers and unions".

Who are the other interested parties and what has been their role thus far?

Sir Reg Empey: As I define them, the interested parties are, of course, the employers, the unions, the Department for Employment and Learning, DFP, and the independent adviser. Everyone who is interested and can effect some change is involved, and, obviously, DFP will have a particular interest in interpreting and discussing some of the details with the Treasury. I am trying to keep involved everyone who is essential to resolving this problem.

The Department has two interests. From a policy point of view, it wants the sector to deliver for our economic, and other, benefits. However, the Department also has a specific role to play in ensuring that public-sector pay policy is adhered to.

Ultimately, Sir Joseph Pilling will be an interested party, and his appointment gives him some gravitas and status so that when people speak to him, or when he interfaces with Government at whatever level, he will have a real focus on reaching an outcome.

I hope that that explains the position.

Mr B McCrea: I commend the Minister for the innovative and creative way in which he has sought to tackle a problem that has frustrated us all. I note the comments of the Chairperson and the Deputy Chairperson of the Committee for Employment and Learning that we have all wrestled for quite some time with this issue. I guess that we are all still getting it in the neck — if that is not unparliamentary language — from people who are asking us to please do something.

Given that several disputes are currently ongoing, will the Minister tell the House whether what he is doing with regard to this dispute can be used as a model for resolution?

12.45 pm

Sir Reg Empey: The Member's last point has an echo of the question asked by my colleague from Upper Bann Mr Gardiner, but maybe I am reading too much into it.

There is no doubt that any industrial action in the public service is of great concern to everybody in the House, and, regrettably, industrial action is taking place in several areas of the public sector. I do not know the details of all the other disputes, and I am not sure whether this model would be applicable to them. However, the model is there, and if anybody wishes to ask me about it, I will be happy to make any suggestions or make available any information that the Department has.

The Member for Lagan Valley Mr McCrea made the point about the frustration that Members have felt for some months — particularly those on the Committee. That frustration is also felt in the Department and everywhere, because everybody wants the dispute settled. The Department thought that it was settled: the money is there to settle it, and there is universal agreement that it should be paid. However, Government are often more complicated than we would wish, and I am left in the middle of public-sector pay policy. The Department must look creatively to see whether all the issues that have been raised can be addressed.

I cannot promise Members that I will come back to the House at Christmas or in the new year with a glowing report and waving a piece of paper that says that the matter is settled. I do not know the answer. However, the past few months have got us nowhere. We are stuck in a rut, going round in circles saying that we want to pay the money and being told that we cannot. We have to see whether there is something that we can do. That is why we have this place — so that we can try to do things a bit differently on the local scene.

It is an anomaly, and the Member for Foyle Mr Durkan has drawn our attention to that. I am anxious to see whether matters can be fixed in some way, and this is a possible way. There are no guarantees, but at least we will give it a good try. All the relevant parties are around the table. We had excellent support from the Assembly during the debate in the summer, support from the Committee and support today. We are sending out a clear message to the parties involved and it is up to them to go away and see whether they can find a creative way of dealing with the matter within the context that I set out. I hope and expect that that will happen, but we will have to return to the matter at another date. I look forward to that opportunity.

Mr Cree: I also welcome the Minister's initiative and the attempt to break the logjam. This dispute has been running for some time, and we will all be glad to see a satisfactory solution. However, the question that I was minded to ask has just been answered, and I am happy with that.

COMMITTEE BUSINESS

Report of the Committee for Finance and Personnel on Workplace 2010

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

The Deputy Chairperson of the Committee for Finance and Personnel (Mr Storey): I beg to move

That this Assembly takes note of the first Report of the Committee for Finance and Personnel on Workplace 2010 and the Location of Public Sector Jobs, and the response to the Report by the Department of Finance and Personnel.

At its first meeting on 16 May 2007, the Committee for Finance and Personnel agreed to include in its work programme up to the summer recess an initial scrutiny of Workplace 2010 and the separate, but related, issue of public-sector jobs location.

Mindful that decisions by the Minister and the Executive were pending on both issues, the Committee undertook that scrutiny between 6 June and 4 July 2007 and published a report of its findings. The timing was unfortunate in that it did not provide an opportunity to debate the report in the Assembly before the summer recess. However, the Committee's subsequent decision to publish a special report on the DFP response to the recommendations now provides such an opportunity.

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

Workplace 2010 is a major element of the Civil Service reform programme, for which DFP is responsible. The project's stated aim is:

"to develop a strategic and affordable solution to the urgent accommodation problems facing the Northern Ireland Civil Service (NICS) office estate."

In a separate initiative, in January 2007, DFP commenced a public consultation on 'Guiding Principles for the Location of Public Sector Jobs in Northern Ireland'. Although the Committee recognises that jobs location is distinct from Workplace 2010, it has considered both issues in tandem. That approach reflects a general concern that Workplace 2010 has the potential to reduce the Executive's freedom to determine the future location of public-sector jobs.

In scrutinising the Workplace 2010 project, the Committee focused on the best-practice approach to procurement and on the lessons learned from existing private finance initiative projects, both in Northern Ireland and in the rest of the UK.

On the issue of the location of public-sector jobs, the Committee gave initial consideration to the

development of a strategic dispersal policy aimed at maximising and realising potential economic and social benefits throughout Northern Ireland. That included consideration of the scope and constraints for dispersal, approaches being taken elsewhere and the relevance of existing cross-cutting policies.

The Committee received oral and written evidence from a wide range of stakeholders, including the Department of Finance and Personnel, the Northern Ireland Statistics and Research Agency, the Northern Ireland Audit Office, the National Audit Office, and the Northern Ireland Court Service. In addition, the Committee was able to draw on a range of published sources, including an inquiry report into public-private partnerships by its predecessor Committee and a report by the Committee on the Programme for Government into Workplace 2010 and public-sector jobs location.

I shall focus, first, on Workplace 2010. From the evidence received, the Committee made a range of key conclusions and recommendations that are designed to establish necessary safeguards and assurances before the Minister and the Executive make the final decisions on the project.

I want to draw Members' attention to the Committee's key conclusions and recommendations on Workplace 2010 and to the Department's response in each instance. At the outset, I should point out that the Committee gave its full support to the strategic objectives of the project, which aimed to enable the Northern Ireland Civil Service to transform the efficiency and effectiveness of the public services that it delivers, provide accommodation in which staff are proud to work and safeguard funding for priority front-line services.

The Committee expressed concerns, however, with some of the findings from the initial, "health-check", review of the Clare House pathfinder project for Workplace 2010, and awaits the outcome of the more extensive post-occupancy evaluation. The Department has advised the Committee that the results of that evaluation will be made available in December 2007.

The Committee recommended that, when finalising the business case, the Department should give due regard to concerns about the use of public-sector comparators and that it should broadly, and strategically, reassess procurement options. In its response, the Department gave a commitment that it will reassess procurement options when finalising the business case and will ensure that benefits, risks, uncertainties and costs are fully appraised.

The Committee considers that the acceptance of upfront capital receipts that are substantially lower than the full market value of properties is a high-risk aspect of Workplace 2010.

The Department has recognised the concerns of the Committee on that issue and has given an assurance

that a significant amount of time and effort is being attributed to the commercial aspects of the contract.

The Committee further recommended that the properties to be included in Workplace 2010 should be valued by an independent commercial valuer in addition to the public-sector valuer, and that those valuations should be updated before the conclusion of negotiations.

The Department has accepted the Committee's recommendation and is making arrangements to identify an independent valuer to assess a representative number of properties, providing a benchmark report against which best and final offer bids can be assessed.

The Committee also called for transparency in the establishment of the affordability model and the efficacy of financing arrangements for the total property private finance initiative option. In addition, the Committee believes that there should be greater transparency in relation to the long-term commitments arising from private finance initiatives in Northern Ireland, and to their impact on future budgetary flexibility and affordability.

The Department has noted the findings and has provided assurance that, on the issue of transparency, a full audit trail on that project will be made available on budgetary transfers from Departments and financing arrangements in the Northern Ireland Civil Service.

The Committee further recommended that if the Workplace 2010 project is to proceed on a private finance initiative basis, the Department should ensure that the full range of applicable best-practice approaches and lessons are applied in respect of the final business case, the final contract and contract-management arrangements.

The Department has also accepted that recommendation and sought to assure the Committee that the programme has examined the recommendations of the Westminster Public Accounts Committee and related Treasury guidance on lessons learned. It has also sought to identify best practice from a range of projects, with a view to ensuring that the contract and the subsequent management arrangements reflect a best-in-class approach.

Moreover, with regard to Workplace 2010, the Committee sought firm assurances from the Department that the final business case will be independently and objectively assessed, that that assessment will cover the robustness of the public-sector comparator, and that the final contract will provide for all necessary safeguards, including those identified in the report.

The Department noted that recommendation and sought to assure the Committee that the need for an independent and objective assessment will be addressed through the Office of Government Commerce Gateway Review process, and the work of DFP Supply.

Regarding the location of public-sector jobs, the Committee recommended that the Department and the wider Executive should develop an affirmative policy for the dispersal of public-sector jobs that ensures the capacity of the public sector to deliver, efficiently and effectively, a range of services through a substantial and sustainable approach, and, as a priority, implement it for the benefit of the whole of Northern Ireland.

The Department has agreed with the Committee that it is important that a strategic approach is adopted. It also assured the Committee that the principles of achieving value for money and maximising social and economic benefits, in relation to the location of public-sector jobs in Northern Ireland, will remain a key feature in the final version of the framework to underpin decisions on the relocation of organisations under the review of public administration.

The Department has also committed a time-bound review of policy on the location of public-sector jobs. That will provide the opportunity to conduct a thorough analysis of the short- and long-term costs and the benefits of dispersal, as well as how best to maximise the longer-term economic, social and environmental benefits from an affirmative dispersal policy. That policy review will also take on board the Committee's call for lessons to be learned from experience of dispersal policies elsewhere, particularly in Scotland.

The Committee sought further assurances that the final Workplace 2010 contract and projected costs do not militate against the future strategic decisions on the location of public-sector jobs.

1.00 pm

Mr Deputy Speaker: I ask Mr Storey to bring his remarks to a conclusion.

Mr Storey: The Department responded by explaining that work is ongoing to develop a flexibility model for the "best and final offer" stage of the procurement that will not only secure a competitive price but also demonstrate best value for money and appropriate flexibility.

Ms J McCann: Go raibh maith agat. I welcome the Committee's report. There is no doubt that there is a need for efficiency and effectiveness in the way that public services are delivered. It is important to have modern working accommodation to provide that delivery. The report is important: it raises many questions about the efficiency of PFI, not least those issues identified by the Westminster Public Accounts Committee. It is claimed that, in order to justify the PFI option, Departments have relied too heavily on the public-sector comparators, and that there should be a wider examination of all other alternatives before an assessment of value for money is made.

The report has also raised important questions about the manner in which the long-term impact on the public purse has been assessed by the Department of Finance and Personnel. There are concerns that proper mechanisms are needed to allow for a form of continuous assessment, including an evaluation process throughout the life of the project, to ensure that value for money is obtained.

The successful management and delivery of PFI projects in recent years has also caused concern. The Clare House project provides an example of how problems can arise which cause disruption to staff and to the service they provide to the public. There is a compelling case for the redeployment of Civil Service and public-sector jobs more equally across the North of Ireland. The Committee has examined the proposed PFI for Workplace 2010 in the wider context of the redeployment of Civil Service and public-sector jobs, and of the long-term impact on such desirable re-employment across the North should it go ahead as a PFI project in its current format.

I welcome recent comments by the Minister of Finance and Personnel in relation to initiating a review of policy options on the location of public-sector jobs that would enable the Executive to come to an agreed approach on location policy in the North of Ireland. There is a need to create balanced local development throughout the North and to help kick-start local economies in line with equality and New TSN obligations.

My party is concerned that Workplace 2010, as presently constituted, will merely copper-fasten the status quo and replicate current patterns of investment and disadvantage. That is unacceptable. Serious questions must be answered in relation to the whole issue of PFI projects. In effect, the taxpayer is being asked to fund guaranteed profits for private companies. As a result of Workplace 2010 in its current form, not only will the companies have significant profit at the end of the contract, they will still own the buildings — and they will be ready to repeat the contract again at the taxpayer's expense. In short, it could serve the interests of the private corporations more than those of the general public. Therefore, it is vital that the contract specifications of any proposed PFI project be robust and effective to ensure value for money and to protect the public interest.

Mr Beggs: The Ulster Unionist Party is committed to the provision of quality services in an efficient and effective manner. The objective to be achieved is quality public services. We have no ideological barriers as to how that can be achieved; however, we have concerns regarding the Workplace 2010 project that should be comprehensively addressed.

The setting in which we find ourselves is significant. To be fair to the Minister, it is appropriate that Members

take that into consideration. The Northern Ireland block grant is under significant pressure — greater pressure than I have previously been aware of. As a member of the Committee for Finance and Personnel, the message I have been receiving from the Department is that the budget will be tight. There is not much money about.

Where is the £1 billion dowry that we were promised before devolution? We face funding difficulties in upgrading hospitals, schools and water and transport infrastructures, as well as Civil Service office accommodation, which is often of poor quality. There is significant pressure to find ways to finance all that. It would be helpful if the Minister could outline how the new resource accounting procedures will affect the capital assets that are held by the Northern Ireland Civil Service.

The PFI project exposes the public service to considerable risks. At the end of a contract, there is the possibility of a monopoly situation. We have been told that there is a buy-back option, but what if the buildings in question are irreplaceable? How that may affect their value must be considered carefully.

There is a risk that private-sector partners may make excessive profits if they decide to redevelop sites. How do we ensure that there is a satisfactory and legally enforceable clawback provision should that happen? Recently, the Public Accounts Committee heard evidence about how, in the past, the private sector has run rings around the public sector on occasion and made considerable profits.

A cost will be incurred if adjustments are made to the contract mid-process, so it is important to have some built-in flexibility. Such a situation may be expensive to adjust as the developer may have a strong hand, so it must be carefully gauged. The risk of the developer, having taken ownership of the properties, going bust must be carefully examined to ensure that the project is not entirely funded by loans from large banks. Such an essentially unstable situation must be avoided at all costs. We cannot afford to have uncertain ownership of the buildings. I am still seeking clarification from the Minister of Finance and Personnel as to why newly refurbished buildings are being sold. I ask him to address the issue of jobs and benefits offices being sold, despite millions of pounds having been spent on them.

I now turn to the Clare House pathfinder pilot project for Workplace 2010, which received a very poor rating of 3.9 out of 9 in the March 2007 report that was submitted to the Committee for Finance and Personnel. That rating is very worrying, particularly as it is for a brand-new building in a pathfinder project. I hope that there will be a much better pilot outcome before a decision is made.

I remind Members that there is significant disparity in the location of Civil Service jobs. It is not simply an east-west issue. Parts of constituencies in the east of the Province have few Civil Service jobs; that applies irrespective of whether one measures those jobs by the total number of jobs located in an area or the number per percentage of the population who are economically active. Regrettably, parts of my constituency of East Antrim come out worst. It is important that our actions achieve a balance. There are considerable costs involved in relocating Civil Service jobs, but there are potential savings and benefits to the environment. When opportunities arise, they should be considered seriously.

Mr O'Loan: As other Members have correctly stated, Workplace 2010 is a major proposal, for which the stakes are high. However, potential gains and associated risks are great, so the right decisions must be taken. I broadly welcome the objectives of the project; they seek to achieve quality accommodation that will be linked to quality service. Good accommodation ought to lead to good staff morale, and good buildings ought to be fit for purpose and linked to good service. I welcome the reference to flexible accommodation.

I have concerns about the emphasis that has been put on open-plan designing, given that it is somewhat unproven as to whether that is always the best option. The objective is to have a smaller and more efficient property portfolio. Although everyone seeks efficiency, a smaller portfolio carries some risks as it might present barriers to decentralisation. There is no doubt, however, that major reform of the public-sector infrastructure is a worthy objective. Workplace 2010 is certainly a major step towards that. I welcome the specific objectives of local economic growth and flexibility of location, which tie in with the desire for the decentralisation of public-sector jobs.

The warnings about public-sector comparators, which compare PFI with conventional procurement, must be taken seriously. The Westminster Public Accounts Committee refers to past comparators as having been given:

“a spurious precision which is not justified by the uncertainties involved in their calculation”.

In general, the Workplace 2010 report issues a heavy health warning to the Department of Finance and Personnel to be wary of the uncertainties of the process, to assess the risks, and to build in a high level of protection. There must be wariness of the beguiling attractions of a PFI solution.

The Deputy Chairperson of the Committee referred rightly to the trade-off between the amount of the upfront capital payment and the annual unitary charge. That must be calculated properly, otherwise there may be a great loss to the public sector that might be visible only later in the contract. The Committee has sought

and obtained welcome reassurance on the independent valuation of assets. It has also taken comfort from the assurances of the independent gateway review of the entire process. The Committee believes that a significant amount has been learnt from past PFI errors. It is chastened — as the Assembly should be — by the awareness that officials will have undoubtedly come before elected representatives and assured them that all contingencies had been considered during the development of those subsequent PFI projects that turn out to be disasters. It is not always the case, however, that all contingencies have been considered.

The scale of the contract and potential subcontracts is an important issue. There are many small businesses in Northern Ireland. It is crucial that local businesses are in a position to tender for subcontracts when they are awarded. I seek reassurance from the Minister on that.

My party is committed to the decentralisation of public-sector jobs. It recognises that there must be a strategic approach to that that maximises local economic development and the quality of Government services. It is a complex issue that must be tackled properly, and I welcome steps that the Minister has taken to do so. The report rightly continues to stress the need for Workplace 2010 to have the flexibility to provide dispersal. When queried on that, departmental officials have said that that is very much part of the scheme. An advantage is that it is clearly costed. Northern Ireland can learn significantly from the Scottish experience on decentralisation.

We must be conscious of Partenaire's legal challenge. The Department currently seeks a further £0.6 million to cover potential legal costs, indicating the substantial blockage that could occur.

In summary, I give a cautious go-ahead to the process.

Dr Farry: Like other Members, I endorse the report from the Committee for Finance and Personnel. It is a valuable piece of research, and it is pleasing to see Committees bring detailed reports to the Assembly.

Workplace 2010 is an important project that has major implications for the entire Northern Ireland Civil Service. Potentially, 20,000 employees could be affected. It is important that the Assembly takes seriously its responsibility to provide quality facilities for staff to work in and quality service for the public of Northern Ireland. It is also important that Members do not judge PFI as good or bad on an ideological basis, but rather on a case-by-case basis, in order to decide when its use is appropriate.

1.15 pm

This project is of a huge scale and is the largest PFI project to date in Northern Ireland. It is also one of the largest PFI projects to be undertaken in the United Kingdom. Therefore, it carries major consequences.

Undoubtedly, just as we learn lessons from elsewhere, people elsewhere will seek to learn from how we in Northern Ireland approach the matter.

I emphasise the importance of flexibility in what we seek to do with the contract. Mr Lunn has referred to the issue of what will now become subcontractors. A wide range of businesses in Northern Ireland have been contractors to the Civil Service. Now, in the single-contract approach, their only hope for business is to become subcontractors. There is concern that they may no longer have the access to work that they formerly had.

We must be conscious of becoming locked in to particular budgets — such as sustaining a certain level of maintenance costs relating to the actual implementation of any overall contract. I am thinking, in particular, of an extremely tight fiscal situation where Departments have to make efficiencies. If we are locked into a contract with respect to certain costs, there could be a danger that efficiencies will be sought disproportionately from front-line services, to the detriment of service delivery to the people of Northern Ireland. Again, we must be conscious of that concern.

I am wary of the timing of the Workplace 2010 contract and the Executive's evolving policy on the dispersal of jobs. Since this report was drafted, the Minister has made it clear that the Executive will bring forward that policy in the next year. In his last appearance on the Floor of the Assembly, the Minister made it clear that decisions on the policy will largely be in place by the time the contract has been finalised. Perhaps we need to go a little further than that and ensure that the final contract is entirely informed by the Assembly's wishes as regards to job dispersal. Otherwise, the cost involved in making contract variations later on might outweigh the savings gained by the Assembly — in the short term — from the early implementation of the contract. Some detailed financial analysis must be done on the pros and cons of the matter to ensure that the Assembly finds the best balance and ensures value for money for the people of Northern Ireland.

With reference to job dispersal, I feel bound to refer to the situation of Bangor — and I make no apologies for doing so. While there is no formal policy in place for job dispersal, under the current proposals Bangor will see a negative dispersal of jobs because Department of Finance and Personnel staff and Department of Education (DE) staff will be further concentrated in Belfast. That will have major implications for the local economy in Bangor. It will account for large job losses — with detrimental effects for local contractors — as the Civil Service is currently the largest employer in Bangor.

It will also add further burdens to the road network, which is already chock-a-block, and runs against the whole spirit of sustainability. That loss of jobs is

opposed by the local workforce. I stress that as many as 500 civil servants are currently on a waiting list to relocate to Bangor. The situation, in which Bangor is set to lose jobs, should be highlighted. Bangor has an image of being rich in Civil Service jobs. However, those civil servants commute into Belfast. We do not have a concentration of current workers.

Mr Weir: I welcome the report and the response from the Department of Finance and Personnel. It is essential that we debate this important issue and that the first report of the Committee for Finance and Personnel is dealing with these two important subjects. Given the timescale under which we are operating, it is unsurprising that many of the proposals are being put forward in a cautious manner. The opportunity to evaluate a lot of this stuff has been relatively limited. Therefore, I will avoid the temptation — to which others have succumbed — to do a lot of hand-wringing, or display angst, about Workplace 2010 or PFI.

In particular, I will avoid the general tirade against the private sector that we heard from the party opposite. It struck me as strange that, at one stage, it seemed that that party was about to storm the Bastille in opposition to private-sector involvement, and then it effectively concluded that it is important to ensure that the PFI contracts are right. There appears to be a divergence between rhetoric and reality.

We should remind ourselves that the Committee, as the Deputy Chairperson said, endorsed the three main aims of Workplace 2010: to enable the Civil Service to transform its public services in terms of efficiency and effectiveness; to provide accommodation in which staff are proud to work; and to safeguard funding for priority front-line services. Irrespective of the financial circumstances in which Northern Ireland finds itself in the future, and whatever the budgetary constraints, it is important that we provide the most efficient and effective resources and that those are concentrated on front-line services. Workplace 2010, if implemented correctly, will provide the best possible and most efficient use of services at the earliest possible opportunity. For all the many concerns that have been expressed about Workplace 2010 — and it is right that we ensure that matters are delivered correctly — I have yet to hear a practical alternative being offered that can deliver and provide the best resources.

Some of the problems that arose with the pathfinder project at Clare House were highlighted. It is clear from DFP's response that lessons have been learnt from that. Indeed, the whole point of a pathfinder project is to find out where problems arise, so that when the project is rolled out in a wider context, those problems can be addressed. I am convinced from the measured tones of DFP's responses that this matter will not be approached in a cavalier fashion, that lessons will be learnt and

that, as regards Workplace 2010, the best possible system will put in place.

Unfortunately, in the second part of the report, there has perhaps not been the same level of focus on the location of public-sector jobs. Paragraph 64 of the report states that:

“the Committee contends that this policy should not be framed simply in terms of the demographics of public sector jobs location or the need to transfer jobs outside the Belfast area. Rather, a strategic approach is required”.

As was mentioned by a Member who spoke earlier in the debate, it is not simply an east-west issue; there are areas, particularly in the greater Belfast area, that have either not received their fair share of jobs, or cannot face any potential job loss.

It is also important to note that the report states that the Department:

“in categorising the location of offices within the public sector, should accurately reflect geographic reality.”

In that regard, I concur with at least some of Mr Farry’s remarks. It is important that Rathgael House is not simply lumped in with the Belfast offices. Take, for instance, the allocation of the social security offices: we found it rather strange that Bangor and Newtownabbey were lumped in as part of Belfast, whereas other offices that are part of the BMAP (Belfast metropolitan area plan) area were taken as being outside of Belfast. If there is to be proper dispersal of jobs, it is important that that dispersal is carried out on a basis that reflects reality.

The Committee also noted that the costs of dispersal are important. We must have an approach that delivers to people. That is why I welcome the Department’s indication that it will take this matter forward through the Executive, and that it will take a much more strategic look at it to ensure that whatever is implemented will be in the interests of Northern Ireland as a whole. I welcome the report. It offers us a firm foundation for a more efficient and effective public service.

Mr Hamilton: Given the sheer scale of Workplace 2010 — the money involved, the capital investment that will be released, the number of buildings that will be involved and the number of personnel that will be affected — I believe that the Assembly will not see many bigger projects in its lifetime. It was because it shared that sense of gravity that the Finance and Personnel Committee undertook this piece of work and sought this debate in the Chamber today — a debate which my colleagues and I welcome.

The Committee and I support the objectives of Workplace 2010, including, most importantly, the provision of accommodation for civil servants in which they will be proud to work, and from which they can deliver excellent public services. We also envisage immense benefits for Northern Ireland in releasing

millions of pounds for capital reinvestment. Those are the two elements on which I want to concentrate.

As has been mentioned already, the health-check review into the Clare House pathfinder project revealed some minor glitches. The discovery of such problems was the reason why the review was undertaken. I am sure that a fuller analysis, which is due before the end of the year, will reveal further lessons that we must take seriously when implementing Workplace 2010. I welcome the fact that the Department of Finance and Personnel has already acknowledged that there are problems with the roll-out of information technology in Clare House, and has undertaken to learn from those lessons.

The realisation of an estimated £150 million to £200 million for the public purse to be reinvested into capital programmes across Northern Ireland is the other side of the Workplace 2010 equation, and it is important, therefore, that the best value is sought for the buildings that are to be transferred to the private sector. One of the recommendations of the Finance and Personnel Committee’s report is that properties included under the aegis of Workplace 2010 should be valued by an independent commercial valuer, as well as by the Executive’s own property experts in land and property services.

The Committee has also recommended that that assessment be made as close as possible to the time of transfer, so that best value for properties is achieved in light of the volatile property market in Northern Ireland. I welcome the fact that the Department of Finance and Personnel has agreed to the independent evaluation of a representative number of the properties that are involved in the project.

Workplace 2010 has been criticised from some quarters since its inception — sadly, in my view — by critics who are wrong, not least because they are beset by an out-of-date and old-fashioned view that the private sector cannot be involved in such a project. Unfortunately, it seems that some of those people are present in the Chamber. Those who argue that PFI is inappropriate for Workplace 2010 miss the fact that several Civil Service facilities, including some buildings that form a part of that project, are leased from the private sector. Any new arrangement would not be much different from what is already happening.

I welcome the Minister’s previous statement to the House, in which he announced that there would be no compulsory transfer of workers who are involved in estate and property management to the private sector. He stated clearly, and repeatedly, that the contract will permit the future dispersal of public-sector jobs, if so desired. Given that Workplace 2010 will provide first-class accommodation to deliver excellent public services, and will release significant amounts for capital reinvestment in Northern Ireland, this is not a

difficult decision to take. I commend the Minister of Finance and Personnel for achieving agreement in the Executive for the pursuit of that policy.

I shall turn briefly to the other issue that is addressed in the Committee for Finance and Personnel report on the location of public-sector jobs. As a representative of a constituency in the east of the Province, it will come as no surprise that I do not view this issue in the simplistic terms in which others do — that it is solely about moving jobs from the east of Northern Ireland to the west. It is not as straightforward as that.

As has been said repeatedly during this debate, there are disparities in the east of the Province. In the borough of Ards, which forms a major part of my constituency, there are only 11.1 public sector jobs per 100 economically active people. It is also interesting to note that although approximately 59% of public sector jobs in Northern Ireland are in the greater Belfast area, 60% of Northern Ireland's population live in that same travel-to-work area, so, if anything, some jobs should have to be pulled back from elsewhere and brought into the greater Belfast area. There is considerable merit in examining this issue, and the RPA may provide opportunities to disperse jobs elsewhere in Northern Ireland, but if the policy —

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

The Minister of Finance and Personnel (Mr P Robinson): First, I thank the Chairperson, Deputy Chairperson and members of the Committee for Finance and Personnel for what I consider a very helpful report, which has been submitted to the Assembly in a constructive manner. As I said in my statement to the Assembly a couple of weeks ago, the debate around Workplace 2010 and the location of public-sector jobs has been difficult, and the issues have been challenging for all parties, not least my own.

Therefore, it was particularly welcome to see a report that had taken the issues seriously and had dealt with them practically and pragmatically. The report has made a substantial contribution to the decision-making process at Executive level.

1.30pm

To sum up the Committee's recommendations, they cover three main areas. First, we must ensure value for money and that PFI is the right solution for the project. I believe that it is.

Secondly, we need an all-encompassing and strategic location policy that maximises the benefits for Northern Ireland as a whole and that looks much wider than the current demographic spread to consider some wide-ranging and complex issues. Today, I have listened to appeals from Ards and north Down. When I am considering the composition of that review panel, I must see whether Solomon is available.

Thirdly, the Committee recommends the importance of learning from experience and of being satisfied that we have done what we can to achieve the best result.

I have already told the Assembly that the difference between a traditional procurement and the PFI option runs into hundreds of millions of pounds. However, in the final business case, issues such as benefits, risks, uncertainties and costs will be refreshed and fully appraised. Value for money and affordability will also be assessed across the lifetime of the contract, so, although the short-term gain of a capital payment will be welcome, it is only one component of a complex contract, on which long-term costs and benefits will be carefully assessed.

The only other point that I wish to make about value for money is that the business case will be subject to rigorous inspection by DFP supply section. For people in and outside the Assembly who are not familiar with that term, DFP supply section is, broadly, the Northern Ireland equivalent of the Treasury in Whitehall. It is responsible for making recommendations on the optimum distribution of resources to Northern Ireland programmes and for ensuring that Departments spend money for the purposes that Assembly agreed. It does that as much for DFP as it does for any other Department.

DFP supply section operates independently of Departments. I recently took its views on the latest iteration before I submitted the paper on Workplace 2010 to the Executive. Before final decisions are taken, DFP supply section will perform a further assessment, which will include value-for-money and affordability considerations. The Committee has been assured of that and of DFP supply section's independence. Its assessment of DFP projects is no different from, and is conducted in the same manner as, that applied to other Departments.

The Committee's recommendations on the location of public-sector jobs were helpful in shaping the way forward on what is a complex issue. As the Assembly will know, the Executive agreed a two-pronged approach, including a framework for decision-making and a review of location policy. It is not simply a case of moving x number of jobs out of Belfast, as some commentators might suggest. Feedback on the consultation highlighted the need for a more holistic approach, which the Committee has also recognised in calling for a strategic approach and a cross-cutting strategy.

The consultation responses and the Committee's report were key factors in our decision to initiate a review, which I am keen to get under way as soon as possible. In a private meeting, I gave a commitment to the Committee's Chairman and Deputy Chairman that I will speak to them about the composition of the review panel. I will bring the draft terms of reference

to the Committee shortly, before seeking Executive approval of them.

That will enable the Department to develop the type of strategic approach to policy on the location of public-sector jobs for which the Committee has called. Although I do not underestimate the task that lies ahead for the review team, it will be an opportunity to provide coherent and strategic direction, which will be in the interests of all the people of Northern Ireland.

I fully accept the need to learn lessons and to build on others' experience as an entirely relevant principle. There is a wealth of information on PFI that has shaped much of the recent Treasury guidance. Too often, we hear about contracts that have been successful, or where huge mistakes have been made. Indeed, some commentators would lead us to believe that all PFIs are disastrous, which, of course, is not the case. Therefore, some work on the issue will be fruitful. All too often, we tend to draw conclusions based on those cases, but it is important that projects learn from each other. PFI is not the answer in some cases, but in others, such as Workplace 2010, it demonstrates best value for money and delivers a solution that is in everyone's best interests.

I accept the views expressed by the SDLP Member for North Antrim, Mr O'Loan. There will not be a risk-free option for the Assembly or for the Executive. However, we can use our skills and abilities to learn as much as we can from the experiences of others, good and bad. In this case, the Department has taken lessons and analogies into account, including, for example, effective gain-share provisions, and how we deal with surplus assets, manage risk and deal with flexibility and uncertainty. We have also drawn heavily on the extensive use of open plan in the private and public sectors. The question for us is not whether we move to open working, but how we do it. Again, I recommend that Committee members visit Clare House, and that offer is also open to all Members. My officials will be happy to arrange tours so that Members can get a more colourful picture of the type of environment that we are seeking for our public servants.

Rather than take a huge leap of faith, my Department ran a couple of pathfinder projects, one of which is now well established and working well. The second project, in Clare House, has experienced teething problems with its new technology, and that has taken time to resolve. We expect to receive a further report on that project, which the Committee will examine closely, as shall I. However, I do not accept any inference that the pilot projects are not working. The experience and lessons learnt, both technical and cultural, have been invaluable in moving things forward. At the moment, the full evaluation of Clare House will be completed in good time to feed into the final negotiations. I have been to Clare House and have talked to staff there. Nothing

that I have heard or seen has led me to believe that we should not be doing this.

It will be helpful to understand the dynamics and drivers in other jurisdictions as regards the relocation of jobs. Other Governments will have taken the decision to relocate jobs for different reasons, and it will be useful to understand and reflect on those experiences. For the benefit of the Member for North Down Dr Farry, it is my desire to run the two projects in parallel. My only reluctance in this matter is that I do not like giving assurances on things that are outside my control. There are elements in both projects that are outside my control, not least because the courts, the Committee or the Executive may take a view that would make it difficult for me to comply. However, I have made it clear to the House and to people outside the House that I want the two projects to run in parallel so that one can inform the other, and decisions will be taken in the full knowledge of where we shall be overall.

I commend the Committee for its work, and I commend the Chairperson and his colleagues for the role that they have played in dealing with complex issues. I give the Committee and Members a firm commitment that we will address the recommendations and that we will engage positively with the Committee as we move forward in the coming weeks and months.

The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin): Go raibh maith agat, a LeasCheann Comhairle.

I thank my Committee colleagues, Members and the Minister for their contributions on what has been a constructive debate. From the outset, the Committee recognised that the Minister had inherited what was already a mature proposal, and he had to take the project forward on the basis of previous work.

That informed the work of the Committee. Our job was not to create additional difficulties in a complex and strategic area. The Minister has clearly recognised that, and has responded in a positive way to the generality of the Committee's recommendations.

The implementation of the Workplace 2010 project and future policy on public-sector job location will clearly have a direct impact on the working lives of thousands of public servants for decades to come. We have heard carefully-considered contributions from a number of Members and from the Minister. I do not intend to go through all of those contributions, but I acknowledge that, generally, Members were supportive of the strategic objectives of the project. Members pointed to and recognised the many risks that are involved, and they welcomed the responses of the Department — particularly, given the concerns about the relocation policy, the announcement by the Minister of a time-bound review of that policy.

The stated objectives of Workplace 2010, as my colleague Mervyn Storey said, were to:

“Enable the NICS to transform the way it delivers public services;
Provide accommodation in which staff are proud to work; and
Safeguard funding for priority front line services.”

Go raibh maith agat, it is clear from Members’ contributions that we can all support those objectives. However, for them to be realised, aside from the particular method of procuring Workplace 2010 — to which I will return in a moment — it will be vital that the project’s implementation is handled effectively. Otherwise, there is the potential for massive disruption to staff and to the provision of public services.

The Committee has concerns about some of the findings of the initial health-check review on the Clare House pilot project. I recognise that, already, the Department has indicated that it is taking those lessons on board. The Committee will carefully examine the findings of the more complete post-occupancy evaluation, which will be available in December. Committee members intend to take up the Minister’s invitation to visit Clare House to see the accommodation at first hand.

I believe that there is a general acceptance that it is necessary to move to the best-and-final-offer stage in order to arrive at a final estimation of the value for money and affordability of the total-property PFI option. That will permit and inform discussion on the proposed safeguards of the public interest that can be built into the terms and conditions of the contract specifications. As Committee Chairperson, I look forward to working and commenting on that process with my colleagues on the finance scrutiny Committee.

As the Committee’s report states, taking into account the scale and duration of Workplace 2010, the stakes are high, and much hinges on the robustness and reliability of the final business case in reassessing the procurement options and determining the best solution in respect of value for money and affordability. The Minister has given specific commitments on the robustness of the final business case, including an assurance that an assessment will be made of the costs and risks of each procurement option before finalising the business case. The Committee has a statutory remit to carefully monitor developments and to ensure that those commitments are honoured.

The Committee has called for the final business case, including its underlying assumptions, calculations, analysis, conclusions and recommendations, to be independently and objectively assessed. The Department has suggested that the Committee’s concerns will be addressed through both the Office of Government Commerce gateway review process and the challenge role of DFP supply section, as my Deputy Chairperson said. The Committee had recommended a more independent and objective mechanism; nevertheless, I

hope that the two review mechanisms will provide the level of assessment that was envisaged by the Committee. That remains to be tested.

The Committee also concluded that, if a PFI approach is eventually confirmed, the pivotal issues will be whether the final contract takes full account of best practice in PFI procurement and whether the subsequent contract-management arrangements are effective. Again, the Department has given a range of commitments on and positive responses to those matters.

1.45 pm

The Committee called for greater transparency on the long-term commitments to PFI deals generally and on the impact that they will have on future budgetary flexibility and affordability. The Committee believes that the affordability of the proposed PFI option for Workplace 2010 must be considered in the context of the collective commitments of the Executive that result from both PFI deals and other long-term borrowings.

The Department has helpfully provided further information to the Committee on how PFI commitment reports will be reported to the Treasury and on how departmental annual accounts will be reported to the Assembly. Although I welcome that information, I have concerns, and I believe that there is still scope for greater co-ordination and transparency on the reporting of PFI commitments to the Assembly. I also consider PFI commitments to be an aspect of departmental expenditure going forward, which Assembly Statutory Committees should monitor closely.

The one area in which the Department has taken issue with the Committee is on the Committee’s observation that the proposed PFI option will mean that Workplace 2010 will effectively double the present £1.5 billion PFI debt. The Department argues that ongoing charges for the contract will be met largely from the current funding envelope for the buildings in question. The Department further argues that if that figure is to be regarded as public debt, all current and future rents and utility charges would have to be regarded as public debt also. In my opinion, that argument avoids the important distinction between PFI debt and public debt. It also avoids the likely reduction in the Executive’s control and flexibility over commitments in a long-term PFI contract compared to those under traditional or existing arrangements.

Moreover, there is no getting away from the fact that if the PFI procurement option is taken, the resultant Workplace 2010 contract will be by far the largest PFI commitment facing the Executive. There is therefore a heavy onus on the Minister and the Department.

I emphasise that I recognise that responsibility explicitly. Indeed, it is on all of us to ensure that the procurement of Workplace 2010 is right. If the wrong

procurement route is taken, or if a flawed PFI contract is put in place, the next generation will be left to pick up the pieces. I do not believe that any of us wish to leave such a legacy.

The Committee concluded that an affirmative policy on the dispersal of public-sector jobs could be an effective tool for supporting the development of the regional economic hubs that were identified in the regional development strategy, thereby closing the significant regional economic and prosperity gaps in the North. The Committee considered that an affirmative policy on dispersal would also complement and advance a range of other existing cross-cutting policies including: statutory equality provision; New TSN; rural-proofing; the anti-poverty strategy; and the forthcoming regional economic strategy.

It will be important for any dispersal policy to be framed and implemented in a way that ensures the strategic distribution of Civil Service jobs across the North. That argument was reiterated today. Careful research and consideration will need to be given to the locations, the number, types and grades of jobs that are selected, and the functions or business units that will be relocated.

The Committee welcomes the Minister's proposal for a time-bounded review of policy on public-sector job location, and it will be considering the terms of that review shortly.

Go raibh maith agat. To conclude, I believe that the Committee's report and the Minister's response represent examples of positive and constructive engagement between the Department and its associated Statutory Committee. I look forward to ongoing engagement on that basis and to further debate on these important matters. I commend the motion to the House.

Question put and agreed to.

Resolved:

That this Assembly takes note of the first Report of the Committee for Finance and Personnel on Workplace 2010 and the Location of Public Sector Jobs, and the response to the Report by the Department of Finance and Personnel.

PRIVATE MEMBERS' BUSINESS

Crisis in Burma

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

Mrs Hanna: I beg to move

That this Assembly views with the deepest concern the unfolding events in Burma; salutes the courage of the Burmese people in challenging the oppressive, corrupt and illegitimate military junta that has ruled Burma for decades and which has brought misery to the country and lives of its people; declares its support for Burma's democratic leaders, in particular the imprisoned Aung San Suu Kyi, leader of the National League for Democracy, and calls for her immediate release; supports the call of the Prime Minister for the most extensive range of sanctions possible against the regime, under the auspices of the United Nations; and further calls on the British, Irish and other European Union governments to take all necessary action to help topple this despicable regime.

People of goodwill throughout the world have watched in horror as the fragmentary evidence of events in Burma over the past few weeks has unfolded. They have had to look through a glass darkly, because the vicious and degenerate military junta in Burma, which has effectively been in power for 45 years, has gone to extraordinary lengths to ensure that the world learns as little as possible about what is happening.

Thanks to modern technology — mobile phones, the Internet and camera phones — and unlike the previous uprising of the Burmese people in 1988, no one can doubt that the junta has degraded that country and made its people the most oppressed on the face of the earth. We have watched in horror as wholly peaceful, saffron-clad Buddhist monks and civilians have been shot dead, spirited away for torture — or worse.

Some people may say that to debate this motion is "gesture politics", that all the sanctions and boycotts in the world make no difference to the junta and that Members should stick to their remit of governing Northern Ireland. With all due respect, I do not accept those views. Nor, indeed, do I accept the comments this morning from another sideliner. Although I want the Executive to be far more proactive, please do not let us ever get to the stage in Northern Ireland where we do not think that it is our business to raise such issues, give leadership and take action.

For several decades, the SDLP was a member of the Irish anti-apartheid movement, and, along with other Members, I participated in the boycott of South African produce in support of sanctions against the undemocratic apartheid regime. Throughout those decades, people told us that we were wasting our time, that the white Government was too strong and that they had too many

allies and resources. At the end of the day, democracy triumphed, and, in an almost miraculous series of developments involving the leadership of Mandela, de Klerk and others, the apartheid regime was brought to an end, and democracy was brought to South Africa.

It may seem impossible to us now that this vile, murderous junta will, one day, fall and that its leaders will be brought to justice. We in the West may not have the necessary leverage to bring down this regime, but we do have some leverage on those countries that can take action.

I first became engaged with the situation in Burma when Aung Sang Suu Kyi was awarded the Nobel Peace Prize in 1991. This woman has won admiration across the world for her courage and steadfastness on behalf of her people; as she has said, "Fear is a habit". In 2003, I travelled to Thailand to work with some Burmese minority groups — the Karen, the Shan, the Mon, the Chin, the Arakan and the Kachin. If the plight of the majority ethnic group — the Burman — is dire, that of the minority ethnics living in squalor in camps along the Thai and Bangladeshi borders is infinitely worse. They truly are the wretched of the earth, and they have had to endure all types of atrocity up to, and including, genocide.

In September 2005, as chairperson of the Assembly all-party group on international development, I hosted a briefing here at Stormont from Ministers and officials in the democratic Burmese Government in exile. I have kept in regular touch with them.

I am sure that Members will have a good overview of recent Burmese history; I will just give a brief account. Burma is a country of around 55 million people, and it should be one of the wealthiest countries in Asia. It has great natural resources of oil, gas, gemstones and forestry that are the envy of, and indeed exploited by, its larger neighbours, such as India and China. Its land is productive, especially of rice, but now its people are among the poorest on the planet. The great natural wealth of Burma has been looted by the military junta and their family interests, and its economy has been perverted to the position where Burma is the second-largest producer of opium and a major source of drug trafficking in Asia.

Burma is one of the poorest countries in Asia. Some 130,000 children die there every year, and 10% die before their fifth birthday. A third of Burma's children are underweight. In a once highly literate country, less than half the children complete five years of education. Nearly half of Government spending goes on the military budget; less than 30p a year per person is spent on education, and less than 10p a year per person on health.

Burma achieved its independence from Britain in 1948, and was ruled democratically until the military coup of 1962. The military has been in control ever since.

In 1988, unrest over the junta's economic mismanagement and political oppression led to an uprising, and an estimated 3,000 demonstrators were killed. International pressure then led to democratic elections in 1990, when the National League for Democracy won 80% of the votes. However, the military, led by the current thug-in-chief Than Shwe, annulled the results of the election, and announced plans for a new constitution, which came to nothing.

In 1997, despite the misgivings of many, Burma was admitted into membership of the Association of Southeast Asian Nations, on the ostensible grounds that contact with the outside world would help to civilise the junta. As we all know, the latest protests broke out on 15 August, when the price of fuel was increased fivefold — this in a country with vast supplies of oil and gas. That was the last straw for a people who had been provoked beyond endurance.

China has become the sponsor and patron of the Burmese military, cynically adopting a posture at the United Nations Security Council of purporting to oppose any interference in the internal affairs of another country and maintaining that there is a democratic process appropriate for the country. Nonetheless, there are two reasons why China may be susceptible to pressure to act in its own interests in a way that could lead to a transition to democracy.

The first is that the Olympic Games take place in Beijing next year. China's human rights record is already under attack from the world; now its foreign policy is too. As Edward McMillan-Scott, a British Conservative vice-president of the European Parliament, said:

"China is the puppet master of Burma. The Olympics is the only real lever that we have to make China act. The civilised world must seriously consider shunning China by using the Beijing Olympics to send the clear message that such abuses of human rights are not acceptable."

I hope that the British and Irish Governments, and the rest of the EU, are absolutely ruthless in pressing China to put pressure on the Burmese junta to allow international humanitarian aid to be given to the country, under the protection of the UN, without it being siphoned off; to stop shooting protesters; to free all political prisoners; and to end the pretence that a new constitution is being drawn up. The junta must be forced to yield to democratic rule.

I welcome the comments from Prime Minister Gordon Brown that he wants the pressure of the world put on the Burmese regime. He wants sanctions and pressure from the United Nations, China, India and the rest of the world to be placed on the Burmese regime. We are far away from Burma, but we can play our part in lobbying for the cutting off of all trade, tourism and investment links in Burma.

2.00 pm

I thank the aid agencies and Amnesty International for briefing Members and for organising rallies in support of the democratic movement. In most world affairs, economic development has required an accompanying process of liberal democracy and a representative Government, because a modern economy cannot be run by uneducated people. The greatest struggle in the twenty-first century will be between totalitarians such as the rulers of China and Burma —

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

Mrs Hanna: Lighting a candle is better than struggling in the darkness.

Mr Hamilton: I commend the Member for tabling the motion. I agree with her initial comments: I am sure that there are some people outside the Building who are saying that we should not be debating the motion, considering the problems that Northern Ireland's people believe exist here.

However, for many reasons, it is our responsibility and duty to debate such issues. There are many good reasons, peculiar and specific to this part of the world, for the Assembly to debate the situation in Burma. It has already been stated that Burma is a former British colony, so we have a responsibility to be concerned about the people in that part of the world who were formerly ruled by Britain. Many servicemen fought in Burma in the Second World War. I am thinking particularly of the Burma Star Association, which had many members from this part of the world. In that regard there is a long association with Burma. Local people give generously to charities and aid agencies such as Save the Children, which does tremendous work in Burma. The United Kingdom is the European Union's second-largest donor of humanitarian aid to Burma.

Mention has also been made of the lucrative drugs trade in Burma. It is the second-largest producer of opium, and it is a producer of methamphetamines. Those drugs are destroying the lives of people in our country. I always look at countries such as Burma as being on the verge of failed status — if they are not already there. It is similar to countries such as Sudan and Afghanistan, which international terrorist organisations such as al-Qaeda have seized on, with unimaginable consequences. It is, therefore, essential that Members add their voices to those of our national Government in the world-wide chorus of concern about the situation in Burma.

I am sure that Members have seen the images that were beamed into our living rooms by whatever means were possible in spite of freedom of speech and expression being suppressed. None of us could have watched the images of Buddhist monks and other ordinary Burmese citizens defying one of the world's most brutal regimes without being inspired by their courage and bravery.

Some 100,000 individuals took to the streets in spite of knowing that those who had protested similarly some decades ago were treated most brutally and oppressively, and that over 3,000 people were callously murdered at that time. As Members debate the motion, the whereabouts of many of those recent protesters, and the details of what happened to them, are unknown.

After almost 50 years of one of the most oppressive rules in the world, the people of Burma are once again following the example set in recent times by people in countries such as Ukraine, Georgia, Lebanon, Iraq and Afghanistan. They are embracing democracy and freedom. For years, we were told that democracy and freedom were alien concepts in some parts of the world. However, it seems that freedom is infectious. Who could blame the people of Burma for, once again, doing what they are doing — taking to the streets in pursuit of issues that we take for granted? They are being subjected to the denial of democracy; political imprisonment; severe restrictions in freedom of expression and freedom of assembly; a brutal military offensive; forced labour; the use of child soldiers; and sexual violence by the army. I could go on.

There is also religious intolerance, a high rate of inflation and massive poverty, despite the country's great wealth of natural resources. Burma is potentially a very rich country that is being brought to its knees by a brutal and oppressive regime, as is also happening in Zimbabwe. Burma also has malaria, TB, HIV and AIDS epidemics.

The world needs to say clearly, and with one voice, that this sort of behaviour is not only unacceptable, but will simply not be tolerated. I am encouraged by the positive reaction of our own Prime Minister, the UN and the US Administration. They are saying the right things but now need to start doing the right things.

Mr S Wilson: Will the Member agree that, rather than the British Government or even Europe, its next-door neighbour China, India and the Asian countries that should really be putting pressure on Burma? They can really make a difference.

Mr Hamilton: I agree entirely with the Member; it is almost as if he read my mind. I was about to say that while this is a challenge for all of us, the real challenge is for China, the growing superpower in the region. China is trying to project a more benign, cuddly image to woo the world in the run-up to the Olympics. Pressure must be put on it to back the right side in Burma.

Ms Anderson: Ba mhaith liom cur leis an mholadh seo. Sinn Féin, along with many people on this island, would like to voice its outrage at the recent events in Burma. There has been an appalling abuse of human rights by the military junta, which has usurped and imprisoned the democratically elected Government, and beaten down and killed many peaceful protesters.

Sinn Féin acknowledges the brave people who have risked their lives in that country to bring news and video recordings of those events to the world.

Myanmar is not an isolated incident in the world of savagery and brutality. Abuse of human rights is widespread, and Governments have persisted in both legally and illegally supplying weapons to those regimes. Condemnations from afar are easy, but they are no more than hypocrisy if they come from a country where the Government allow the export of arms and munitions to Governments that abuse and ignore the human rights of their citizens.

I endorse the comments made by Amnesty International programme director Patrick Corrigan, who said:

“We are all concerned for the fate of those protesting for democracy in Myanmar. But what should concern us doubly is that...firms may be contributing — perhaps unwittingly and totally legally — to the miserable human rights situation in the country by providing weapons components to the military.”

The Amnesty International report this year identified firms based in the North involved in the arms industry. The report highlights companies such as Goodrich Engine Control Systems in Belfast and Martin-Baker Aircraft Co Ltd in Antrim that, according to Amnesty International, have made components that may have been incorporated in jets sold to China, which have then been supplied to Burma. Current loopholes in the export licensing system make it impossible to know for certain whether that is the case. There is no comprehensive EU-wide control system in place to ensure that Governments can effectively implement and enforce their embargo commitments.

To support the motion in its totality would be reprehensible. Sinn Féin has concerns about the implication of the unfortunate, if not dangerous, language used. It calls for the taking of:

“all necessary action to help topple this despicable regime.”

That is unsafe language, particularly in the wake of the British and US Governments' illegal invasion of Iraq. For that reason Sinn Féin cannot support a motion that could be seen to sanction a similar invasion against the people of Burma.

Sinn Féin voices strongly its concern and support for the immediate release of Burma's democratic opposition leader from house arrest. Sinn Féin can support only half of the sentiments in the motion, and it is concerned about wording in the motion that states:

“to take all necessary action to help topple this despicable regime”.

For that reason Sinn Féin will abstain from the vote.

Amnesty International has called on all Governments to support actively the UN process to establish a global arms trade treaty with strong provisions requiring full

respect for international human rights law and international humanitarian law when considering transfers of conventional arms so as to prevent arms transfers from contributing to the violations of such law. Sinn Féin supports Amnesty International and views that as the preferred option.

The reliance here on international human rights law puts into the sharpest focus the importance of our current work to frame a bill of rights for the North. This is our mutual achievement, that through the Good Friday Agreement and our power-sharing Executive, we are now engaged in working towards defining rights in framing a bill of rights. We in the Assembly along with key stakeholders in civic society are engaging in path-breaking work of global significance and we should congratulate all involved.

We would be detracting from that work if we were to support the unfortunate words in the motion that I read out earlier. We fundamentally seek to endorse the primacy of human rights.

Mr Savage: I support the motion. I thank the Member for bringing the events in Burma to the attention of the House.

Like many Members, I saw the shocking and disturbing pictures on television as Buddhist monks, clergy and other citizens took to the streets in protest to voice their concerns and try to bring about change in their country. All that those people want to see is a reduction in commodity prices, the release of political prisoners and national reconciliation.

The people of Burma have been in that situation before. The nationwide protests in 1998 were suppressed violently by the authorities with the killing of more than 3,000 people. Burma is a country controlled by fear due to the heavy-handed military presence, with many reports coming through of brutal beatings, killings and disappearances. According to media reports, it is difficult to confirm the details of those who have been arrested, where they are held and under what circumstances. That has been compounded by the restrictions placed on the Internet and telephones. Random searches for mobile phones and cameras have been stepped up and those who have been caught with them have been beaten and arrested.

Since the peaceful protests in Burma last week were harshly repressed, the Burmese security forces have raided monasteries and attacked peaceful protesters; they have fired live rounds and tear gas, and they have beaten protesters with batons. It is believed that at least 1,000 protesters have been arrested in Yangon alone, the majority of whom were monks. There have been many more arrests in other towns and cities across the country. That is in addition to the many people detained since August last year, many of whom are key figures in the National League for Democracy.

The authorities have acknowledged that there have been 10 deaths. However, is it feared that the actual number is much higher. How many people have to die before the wider world wakes up, takes notice and does something about the situation? I welcome the fact that the United Nations has agreed a strong resolution and that it will be sending a special rapporteur on human rights to Burma on an urgent mission to give a detailed report on the human rights situation.

The Foreign Secretary, David Miliband, said:

“the international community is determined to see a process of genuine national reconciliation, democratisation and the establishment of the rule of law”.

I believe that everyone in the Assembly wants to see the same.

During the last war, our soldiers fought alongside the Burmese people, and we have a duty to stand by them at this crucial time. I support the motion.

2.15 pm

Ms Lo: I thank Mrs Hanna for proposing the motion, and I welcome the debate. However, although I endorse the sentiment of the motion, I am concerned about calls for the toppling of the Burmese Government.

Mrs Hanna: At no time did I call for the toppling of any Government.

Ms Lo: Our common humanity obliges us to provide the Burmese people with all of the help that we can in their fight with the military regime. The Burmese dictatorship is not only brutal and horrifying, but, tragically, insane. No regime can be described as sane if it locks up a Nobel Prize winner such as Aung San Suu Kyi for simply caring about the condition of her country. The Burmese regime cannot be treated as sane when its citizens live in misery, despite the fact that their country has a vast array of minerals beneath its soil. The generals are at war with the Burmese people. We must aid those people and the forces of democracy in that war.

The key to Burma is not in Rangoon or the new capital — the general's lair — Naypitaw. The generals have been plundering their country and living the high life, at the cost of the ordinary Burmese, for decades. Time and again, they have shown that they have no problem with murdering their fellow countrymen and that they will not, of their own accord, change their evil ways.

The key to Burma is China, which has benefited most from the commercial and diplomatic boycott. China uses Burma's access to the Bay of Bengal for military means, and is the prime customer for Burmese exports such as timber, oil and gas. As the 2008 Olympics approach, China is conscious of its international image. As the world has recently seen in Sudan, international

public opinion can do much to encourage Beijing to put the squeeze on the generals.

Mr Kennedy: What is Ms Lo's considered view on advocating a boycott of the forthcoming Olympics in Beijing, as a tool against the Chinese Government?

Ms Lo: No. Working with them, and continuing to exert pressure, is the best thing to do.

In recent weeks, there has been some soft pressure from China — and that is welcome. However, that is not enough. The time is ripe for a tougher stance from Beijing.

China is not the only country in the region that is failing to live up to its basic obligations to humanity. India, another neighbour, constantly struggles with Beijing for influence in Burma, but has little regard for how it is governed.

Thailand is no less guilty. That is the country that buys the largest share of Burmese exports, and which, itself, has problems in sustaining any sort of democratic Government.

The final guilty party is Russia, which blocks any anti-junta initiative in the UN Security Council and sells armaments to the generals — the only internal guarantee they have for staying in power.

The Burmese regime's external guarantee is the nexus of support provided by the countries that I have mentioned.

Those nations hide behind the dogma of non-interference in the internal affairs of another country. However, in reality, they are the generals' lifeline.

The UN must take action. However, given the possible Chinese-Russian veto, the British, Irish and other European Governments must be pressurised into taking joint EU action, and, indeed, collective action with non-EU states, in order to penalise the Burmese generals. That can be done by disrupting their wealth, which is allegedly already being moved to bank accounts scattered around the world.

Sanctions against the country would not frighten the generals and would only be to the detriment of the people. The generals are already at war, so they would not be worried about the misery of the ordinary Burmese people. However, were we to find a way to their pockets, they would surely be worried.

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

Mr Shannon: I thank the Member for tabling the motion, which is appropriate and timely.

It is a firm and long-held belief of mine, and of many others in the Chamber, that evil triumphs when good men do nothing. Essentially, it means that to stand and shake our heads, wring our hands and tut about how awful a situation is will by no means

change that situation. It will, however, allow evil to prosper and overtake, and, in the case of Burma, to rule a nation.

For too many years, we in the West have wrung our hands and imposed sanctions on Burma. In doing that, without backing up anything that we say, we have lost any sway that we ever had over the ruling dictatorship in that country. Another brief or missive from the UN, or a strongly worded letter from Gordon Brown, would have as much effect on the Burmese ruling army as would politely asking a child in the street to put down the sweets that he or she is eating in favour of a Brussels sprout. Why would that child give up what he or she craves after, and has a taste for, for something less palatable? The simple answer is that the child would not.

In the same way, the dictatorship in Burma has gotten away with strong-arming the people for so long that it now has what it wants. It will not give that up on the say-so of nations that do nothing but write notes and impose sanctions, only to shake their heads the rest of the time. The real power, as my colleague Sammy Wilson said, lies with the influence of China, Russia and India.

The Burmese crisis is not new but has been brewing for many years; and for many years, the UN has been trying to do its best to influence the Government there to play fair. Sadly, it boils down to the fact that the UN has no influence. In saying that, I have no wish to detract from the tremendous amount of good that the UN does through providing relief packages and food and medical supplies.

The junta has doubled the price of rice, and that has led to 70% of wages being spent on food. The price of fuel has increased — 50% of some people's wages is being spent on it. That means that less money is available for food and education. The food on which the Burmese people rely is rice. More sickness and disease will follow for people for whom rice, and nothing else, is their staple diet. Recent statistics show that more than one third of children in Burma suffer from a form of malnutrition.

The junta uses a strong military presence to ensure that those who question their authority do not do so for too long before they are "sent away". A BBC correspondent reported a middle-aged man in a tea shop as saying:

"I really want change, but they have guns and we don't, so they'll always win."

That is the reason why so many of the Burmese people have lived so oppressed for so long. There are sad and recurring incidents in many villages, where the people try to be self-sustaining, only for the military to arrive and steal their stores of food.

There are 20,000 internally displaced persons from the Karen region alone. People who are on the run

number more than that. Indeed, people have also fled across the border.

It is little wonder that the peace-loving monks are the leaders in the stand against the regime. The time for them to stand and wring their hands has passed, and they have tried to lead peaceful protests, which is a human right of any person who wishes to express concern and emotion over a situation. However, in Burma, that has led to 4,000 monks being rounded up and sent away in an attempt to stop the peaceful demonstrations.

The demonstrators seek a price reduction in the basics of life — commodities such as fuel, rice and cooking oil. Secondly, they seek the release of all political prisoners, including — and I will try to say this in my Ulster-Scots accent — Aung San Suu Kyi and all of the detainees arrested during demonstrations against the fuel price hike. Thirdly, they want the Burmese Government to enter into dialogue with the pro-democracy forces to promote immediate national reconciliation and to resolve the crisis facing the people and the difficulties they suffer.

We, in the Western World, have little influence; however, China, India and Russia have significant influence and must be pressurised to effect change for good. If that is not done, stronger measures must be considered. If words — and international pressure — do not work, something else must be done to ensure that all the people of Burma have the freedom to live, eat, work and marry without fear and threat. Those are the basics of life.

It is the duty of the strong — the countries of the Western World and of Asia, including China — to speak up for, and uphold, the cause of the weak. We must demand that action is taken now; that the oppression stops now; and that the dictators are held accountable for their actions now. A helping hand is worth a thousand words of advice.

Mr Deputy Speaker: Members will be aware that questions to the Office of the First Minister and the deputy First Minister begin at 2.30 pm. I, therefore, propose to continue this debate later this afternoon. In the meantime, Members may take their ease.

(Mr Speaker in the Chair)

2.30 pm

Oral Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

British-Irish Council

1. **Mr Bresland** asked the Office of the First Minister and deputy First Minister to detail when the next meeting of the British-Irish Council will be held; and what issues will be considered. (AQO 330/08)

The First Minister (Rev Dr Ian Paisley): In July, at the Belfast summit of the British-Irish Council (BIC), the Council agreed to host the next summit in Dublin in late 2007. Even though the Belfast Agreement provides for two BIC summits per year, it will be the first time in five years that that will have happened, and reflects the momentum and commitment to enhance east-west relationships that we have brought to the work of the Council. The date and the agenda for the summit will be subject to agreement by the participating administrations. We will wish to review progress on issues agreed at the Belfast summit including the strategic review of the Council's works programme, and support arrangements for a standing secretariat. Once the date and agenda for the summit have been agreed we will inform the Executive and the Assembly.

Mr Bresland: Could the First Minister outline the current position on the commitment to have a dedicated standing secretariat?

The First Minister: The St Andrew's Agreement provided that following consultation with members, with a view to giving further impetus to the work of the Council, both Governments would facilitate the establishment of a standing secretariat for the British-Irish Council, if members agreed. We have made it clear that our preference is for a standing secretariat, and the strategic review will take the views of the participating administrations into account when arriving at its recommendations.

Mr Attwood: On 18 September you indicated that you would enquire if the issues of affordable housing, suicide and the Irish Sea could be included in the ongoing review of the Council. Will those matters be part of that review, in particular the matter of the Irish Sea, which was previously on the BIC's agenda?

I welcome you to Question Time, and say on behalf of many people in the House that it would have been welcome if the First Minister and the deputy First Minister had come to the House in order to announce a decision —

The Speaker: Order. I ask the Member to take his seat as his question is inappropriate.

The First Minister: As the host administration the Northern Ireland Executive bore the costs of the meeting held in Northern Ireland, which was a good meeting. However, the review body is its own boss. Although we can and do recommend that those matters must be dealt with, we cannot compel the review body to deal with them.

Mr K Robinson: Will the First Minister investigate the level of staffing of the British-Irish Council, which is currently at a markedly lower level than the North/South Ministerial Council (NSMC)? Will the First Minister undertake to see that the staffing level is increased to reflect the importance that all unionists place on the British dimension of all the relationships between these islands?

The First Minister: I have already commented on the extent of our authority, but I welcome the Member's comments and I will draw them to the attention of the review body.

Children and Young People

2. **Mr Shannon** asked the Office of the First Minister and deputy First Minister what action the junior Ministers will be taking to serve the needs of children and young people. (AQO 323/08)

The First Minister: The junior Ministers have specific responsibility to progress important commitments and priorities with regard to children and young people.

They will play a key role in driving forward the 10-year strategy for children and young people and in putting into place the most appropriate arrangements and actions for its delivery. The junior Ministers play an important role in keeping the needs of children and young people high on the agenda and in determining and shaping progress to improve their lives.

Mr Shannon: I thank the First Minister for his assurances on tackling the needs of children and young people. Will he indicate to the Assembly the work that has been done to eradicate child poverty, which is another important issue?

The First Minister: The United Kingdom targets are to halve child poverty by 2010 and to eradicate it by 2020. The 10-year strategy for children and young people includes outcomes that are linked to the elimination of child poverty in Northern Ireland; namely economic and environmental well-being.

Poverty must be eradicated by 2020 in order to close the gap between the young people who do well in life and those who do not. Throughout the development phase of the strategy, child poverty, particularly social exclusion and multifaceted need, was consistently identified as a key theme in the lives of children and young people. In working to achieve the UK target to eradicate child poverty by 2020, Northern Ireland Departments will deliver a wide range of initiatives and programmes that will have a positive effect on child poverty and exclusion.

Mrs M Bradley: Will the First Minister confirm whether there are any plans to take forward a ministerial subgroup on children?

The First Minister: Yes, there are.

Mr Beggs: Child poverty in Northern Ireland is increasing. Will the First Minister and deputy First Minister set specific tasks for the junior Ministers so that strategic action will be taken to tackle that problem? Will they ensure that the junior Ministers will inform the Assembly of what is being done, so that they can be held to account for their actions?

The First Minister: The two junior Ministers are working hard. They are already occupied with other child-poverty matters. I assure the honourable Member that they have been well tutored on those matters by the deputy First Minister and me. The children of today will be the men and women of tomorrow. They deserve all that the Assembly can give them.

The Cost of Division – A Shared Future Strategy

3. **Mr Ford** asked the Office of the First Minister and deputy First Minister to indicate when the Deloitte Touche report on ‘The Cost of Division — A Shared Future Strategy’ will be published on the Department’s website. (AQO 379/08)

The First Minister: The report was commissioned, conducted and finalised during direct rule. Copies of the report have already been placed in the Assembly Library and have been made available to the Committee for the Office of the First Minister and deputy First Minister and to other Members. Furthermore, if anyone contacts OFMDFM for a copy of the report, it will be provided as quickly as possible. Our Department has no plans for formal publication.

Mr Ford: Since the report is not available elsewhere, I advise Members that it has been provided on the Alliance Party website, should they wish to see it. Is the failure to publish the report not a further example of the failure and inability of the First Minister and deputy First Minister to agree on difficult issues? For example, we have seen today their failure to announce

movement on the appointment of a victims’ commissioner, which is another key aspect of a shared future. The way that that announcement was made showed absolute contempt for the Assembly, for victims and for people who had applied in good faith for the post.

The First Minister: I resent what the Member has said, and I challenge him to prove that we are insulting victims. We are trying to find the best possible way to find the best possible person to do the job.

Mr Kennedy: I broadly welcome, on behalf of the Committee for the Office of the First Minister and deputy First Minister, the announcement that was made earlier today on the appointment of a commissioner for victims. Given the public interest in the issue, can the First Minister be more specific on the time frame that is envisaged for the appointment and, in particular, can he outline the final process by which any successful applicant will be appointed?

The First Minister: I have nothing more to say on the statement that was given to the honourable gentleman by us this morning, before we made our statement to the press. He is aware of all the facts of this matter. I understand that all Members were sent a copy of that statement. Therefore, they all know what is in it.

Mr Spratt: I thank the First Minister for his answers. He has answered my question on the appointment of the commissioner for victims when answering the two previous questioners.

Mr Speaker: I call Martina Anderson —

I call the First Minister.

The First Minister: That is a new name that I have been given.

To put it bluntly, we believe that some potential applicants may have been deterred from applying for the post during the direct rule period because they could not be confident of securing the broad political support of local parties — *[Interruption.]*

Mr Speaker: Order. The First Minister has the Floor.

The First Minister: The commissioner for victims must become a true champion of victims and survivors. I knew that that comment would bring that response. Certain Members were looking for some excuse to make that response. I am simply repeating what I have already told them.

Ms Anderson: I ask the First Minister to outline the status of the report; his views on the statistics; and to reinstate OFMDFM’s commitment to equality as being the top, bottom and middle line.

The First Minister: The report that the honourable lady mentioned is independent. She will be well aware of that.

Mr A Maginness: I do not know whether I am more confused than the First Minister. I am confused by his answers, and I am also confused by some of the questions.

I thank the First Minister for placing the Deloitte report, 'Research into the financial cost of the Northern Ireland divide', in the Assembly Library. That was subsequent to my question of a couple of weeks ago on that report. Will the First Minister tell me why the Office of the First Minister and deputy First Minister will not publish, formally, that report? That is a serious report, it is important, and it is a twin to the 'Shared Future' policy document. Let us have a debate on it in the House.

The First Minister: It does not seem that other people are of the same mind as the honourable Member. Only 18 people requested the report. Is the Member suggesting that we should print hundreds — maybe a thousand copies — when only 18 people asked for it? It is not OFMDFM's report; it is a private report. We are not in the business of publishing private reports.

Transfer of Policing and Justice Powers

4. **Mr Burnside** asked the Office of the First Minister and deputy First Minister what representations it has made to the United Kingdom Government, concerning the transfer of policing and justice powers to the Northern Ireland Assembly and Executive. (AQO 335/08)

The First Minister: The Member for South Antrim will be aware that the Northern Ireland (St Andrews Agreement) Act 2006 placed specific responsibility on the Assembly to report to the Secretary of State for Northern Ireland, by 27 March 2008, on progress towards the devolution of policing and justice matters. He will also know that the Assembly has asked its Assembly and Executive Review Committee to undertake an inquiry and report to the Assembly by March 2008.

We believe that that issue is not one in which OFMDFM considers it necessary to make such representations.

2.45 pm

Mr Burnside: I thank the First Minister for his answer. However, he must surely believe that before policing and justice powers can be transferred to the Executive and the House, there must be some confidence-building measures.

Does the First Minister not find it amazing that, over the weekend, Robert McCartney's sisters said that there was no evidence of senior republicans in Sinn Féin/IRA taking part in the PSNI's Historical Enquiries Team? Does he not find it totally unacceptable that his deputy First Minister will not personally, or corporately on behalf of Sinn Féin/IRA, take part in the Historical

Enquiries Team? How can any confidence be built in the transfer of policing and justice powers when his deputy First Minister and Members of the Sinn Féin Bench are involved in such activities?

The First Minister: I remind the Member that his party is part of this coalition, so he should get on to his own party leader and his own party instead of reading to me what he thinks should happen. I repeat what I have said: the Assembly has referred this matter to the Assembly and Executive Review Committee. If the Member has something to say to the Committee, he should go to the Committee and say it. If he is not happy with the result of that, he can bring the matter to the Assembly.

Miss McIlveen: Can the First Minister indicate that such a transfer could come about only by agreement and with cross-community support in the House?

The First Minister: The answer is yes. I am very glad that the Member for South Antrim is convinced that what the DUP says on this matter is right. If the party has one convert, it is doing well. There are only 18 requests for some of these reports — I got one today.

Sexual Orientation Strategy and Action Plan

5. **Dr Farry** asked the Office of the First Minister and deputy First Minister to detail what progress has been made towards presenting and launching the sexual orientation strategy and action plan. (AQO 380/08)

The First Minister: A consultation on the draft sexual orientation strategy and action plan was carried out during direct rule under the former Secretary of State Peter Hain. The draft strategy has yet to be considered by Ministers and the Executive.

Dr Farry: I thank the First Minister for that answer, even though it was rather brief. Can he assure me that all Ministers are working in harmony on sexual orientation issues and that this draft strategy will be brought forward as soon as possible? Does he agree that sexual orientation issues need to be seen through the prism of good relations? Will consideration be given to placing sexual orientation issues within the wider remit of the shared future strategy and, in particular, the second triennial action plan?

The First Minister: The First Minister and deputy First Minister have made it clear that the Office of the First Minister and deputy First Minister is totally committed to promoting equality and human rights and is completely opposed to any form of discrimination or harassment against any citizen.

Mr Storey: Will the First Minister inform the House who approved the current funding package, and has any further funding been agreed?

The First Minister: Mr Peter Hain approved the package; neither I nor my colleague across the way has since approved any funding.

Mr McCartney: Does the First Minister agree that, in order to be effective, the draft sexual orientation strategy needs the full and total support of the Office of the First Minister and deputy First Minister?

The First Minister: That is a matter for negotiation. I can say only that we have to face the facts that are before us, and the facts are that the money that is now being provided is based on the undertaking made by the then Secretary of State Peter Hain and that the draft strategy has yet to be considered by Ministers or the Executive.

Freedom of Information Requests

6. **Mr T Clarke** asked the Office of the First Minister and deputy First Minister to detail (i) the number of freedom of information requests it has received; and (ii) the number of freedom of information requests received in total by all Northern Ireland Departments. (AQO 342/08)

The First Minister: From 1 January 2005, when the Freedom of Information Act 2000 was fully implemented, to the end of August 2007, OFMDFM has received 272 requests for information.

During the same period, over 8,700 requests were received across all the Northern Ireland Government Departments. In over 77% of those cases, all the information requested has been released to the applicant. In 14% of cases, part of the information has been released to the applicant, and in 9% of cases, all of the information requested was withheld, using the appropriate exemptions.

Mr T Clarke: Does the Office of the First Minister and deputy First Minister have any plans to consider reform of FOI (Freedom of Information)?

The First Minister: There is no doubt that the evidence thus far already suggests that dealing with FOI requests takes up a considerable amount of staff time. On occasions, the requests are of a wide-ranging and detailed nature that requires many hours of research, and are sent in by lazy journalists, who will not do any work, but who think that we should pay them and give them the information that they want. That, inevitably, adds time and resource pressures onto the Departments.

If, in collating evidence on how the current procedures are working, the Departments discover that reform is needed — and I think they will — it will have to take place. The civil servants are not employed full-time to pursue the requests of enquiring minds. They are supposed to be serving the Departments that

they are called upon to serve, and helping those who run those Departments.

Mr O'Loan: The First Minister may be aware that I have sent a freedom of information request to his colleague the Minister of the Environment asking for the opinion received from the Planning Service in relation to the private-sector application at the Giant's Causeway. Will he use his close working relationship with the Minister to ensure that I get a reply?

May I also ask, given the publication of a letter written in 2003 in his name, signed on his behalf by Ian Paisley Jnr, now a junior Minister in OFMDFM, and carrying the reference IPJ, and given that that letter totally misrepresented UNESCO's position in relation to development at the Giant's Causeway, what confidence this Assembly and the public can have in the integrity of ministerial decision-making —

Mr Speaker: Order. I ask the Member to take his seat. That is the second occasion on which a Member has asked a question that does not relate in any way to the original question asked. I rule that totally out of order. I call the First Minister.

Mr O'Loan: It needs an answer.

Mr Speaker: I call Mr Gardiner for a supplementary question.

Mr Gardiner: Will the First Minister outline to the Assembly the cost to the taxpayer of a question for written answer from an Assembly Member, and in particular the cost of civil servants' time and the various resources devoted to providing the answer?

The First Minister: All I can say is that it is the right of a Member to ask questions and it is the right of a Minister, if he so desires, to reply to them. We cannot tell Members that they cannot ask questions because they are costly. That is a matter for the Assembly, not for me.

North/South Bodies

7. **Mr Weir** asked the Office of the First Minister and deputy First Minister what action it is taking to review the work of the North/South bodies, as outlined in the St Andrews Agreement. (AQO 316/08)

The First Minister: At its plenary meeting on 17 July 2007 the North/South Ministerial Council agreed to take forward the review of the North/South implementation bodies and areas for co-operation, as provided for in annex A of the St Andrews Agreement.

The appointment of the advisory panel is under active consideration. Officials have now met to discuss the review, and preliminary work has commenced. It is anticipated that the intensive work will be undertaken from October to December, and that a final report will

be made to the first North/South Ministerial Council plenary in 2008.

Mr Weir: I thank the First Minister for his reply. Will he confirm that the review group will examine the efficiency of the implementation bodies, and that any attempts to create new bodies will be subject to a vote in the House?

The First Minister: The answer to the Member's question is yes. The House will have the final say.

Mr Gallagher: Does the First Minister agree that, in recent years, there has been a marked increase in co-operation on environmental issues through the development of recycling facilities and through tackling the dumping of illegal waste?

Does he agree that many other issues are crying out for a strong, all-island approach? Those include water quality, the protection of our marine environment and the protection of wildlife habitats. Will the First Minister tell the House whether, during the review, consideration will be given to the establishment of a North/South body on the environment?

The First Minister: The review will be undertaken by a review group, which will report to the NSMC. The review group includes senior officials drawn from the Office of the First Minister and deputy First Minister, the Department of the Taoiseach, the Department of Foreign Affairs, the NSMC secretariat and an advisory panel of four experts, two nominated by the Northern Ireland Executive and two by the Irish Government. Those are the people to whom the honourable Member must direct his queries. He should provide them with the information that he wants them to study for their report.

Mr Elliott: I thank the First Minister for his answer. Does he concede that Assembly control of the North/South bodies was something that he spoke about a great deal before assuming office? Does he agree that any North/South parliamentary forum could lead to undue interference in the political affairs of Northern Ireland?

The First Minister: The Democratic Unionist Party, which I lead, always had strong views on that matter. We made those views known to the British Government and to the Southern Irish Government, and we are thankful that changes have been made. In no way will our representatives sell anyone out from the unionist side of the House at any of those meetings. We will keep our flag flying, and, as far as we are concerned, it will fly from the masthead. Others will do what they want, but the DUP will not be bribed or bludgeoned into any surrender of our unionist principles.

Victims

8. **Mr Storey** asked the Office of the First Minister and deputy First Minister what plans were in place to

bring forward a new blueprint for the victims sector. (AQO 315/08)

The First Minister: The needs of victims and survivors are a high priority for OFMDFM and for the Executive as a whole. We intend to introduce a new strategy for victims. That strategy will direct available resources to the areas of greatest need. It will emphasise the importance of ensuring that what is done by all service providers makes a real difference to the lives of victims. In doing so, we will consider issues such as services and practical help for victims who are dealing with the legacy of the past and building a better future.

We will discuss our proposals with the Committee for the Office of the First Minister and deputy First Minister before they are finalised. A key factor in the success of a new strategy will be the appointment of a Commissioner for Victims and Survivors who will play a central role in taking forward the strategy. I want also to add to that —

Mr Speaker: Time is up for questions to the First Minister and deputy First Minister.

3.00 pm

AGRICULTURE AND RURAL DEVELOPMENT

Foot-and-Mouth Disease

1. **Mr McCarthy** asked the Minister of Agriculture and Rural Development to give her assessment of the current threat of foot-and-mouth disease. (AQO 386/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a Cheann Comhairle. As I said in my statement to the Assembly on 1 October, in view of the strong suspicion of foot-and-mouth disease in England on 12 September, I took immediate precautionary steps to prohibit the import of animals and relevant products from Britain, to reintroduce biosecurity measures at local ports and airports, and to call for vigilance. Those measures remain in place. No further cases of foot-and-mouth disease have been confirmed in England since 30 September. Therefore, the number of confirmed cases of foot-and-mouth disease in Surrey since 3 August stands at eight.

By 14 September, my officials had carried out clinical inspections of all 75 consignments of cattle, goats, sheep and pigs that had been imported directly from Britain during the relaxation of the import ban between 23 August and its reinstatement on 12 September. All examinations were negative, which has given me some assurance that no disease has spread here. I

reminded farmers of the importance of remaining vigilant by regularly — by that, I mean at least daily — inspecting their animals for symptoms of disease and reporting any suspicions immediately.

My officials and I continue to liaise closely with our counterparts in Britain and in the South to monitor and assess the situation. On the basis of our veterinary risk assessment, the movement of live susceptible animals from here to Scotland has gradually eased over the past few weeks for slaughter animals and for breeding and production animals. We will continue to work closely with the South to co-ordinate our actions in order to protect the whole island from foot-and-mouth disease.

Given our current controls and precautions, our veterinary assessment is that the risk of foot-and-mouth disease entering the North is considered to be low, and the most recent cases in Britain have not changed that assessment. I will keep the position under constant review, depending on developments in Britain, and will make any necessary changes in the existing preventative measures in response to any changes in the level of risk.

Mr McCarthy: I thank the Minister for her detailed response, and I congratulate her and her officials for the work that they have done in preventing the scourge from entering Northern Ireland. What steps will the Minister take to ensure that proper lessons are learned from this year's outbreak across the water? Will those lessons be appropriate as we continue to face the threat of bluetongue or any other fatal disease that could threaten our agriculture industry?

Ms Gildernew: We reviewed our contingency plan for foot-and-mouth disease in August, on the back of the initial outbreak in England, and we have since reviewed it. That will be a live document, and we will continue to review and update it, as scientific evidence, etc, provides us with further information. We are on a constant learning curve.

It was important that we took the experience of the first outbreak in August and applied that when we imposed the bans in September. I imposed the bans before the disease was even confirmed, so we acted even more quickly than we had in August. We continually update our contingency plan, and that is the same for bluetongue and for any other epidemiological diseases. We want to try to keep on top of that as much as possible.

Mr Savage: Have the Northern Ireland food exporters experienced difficulties from any countries that may be confused over Northern Ireland's regional status of being free from foot-and-mouth disease?

Ms Gildernew: I thank the Member for his supplementary question. There have not been as many difficulties in trading as there were in August, when, as Members know, we changed our certification require-

ments. Restrictions were due to be lifted the day after the foot-and-mouth outbreak on 12 September. We have continued with the certification scheme and have had very few complaints from the industry.

We have asked farmers to contact us if they are having any problems, and we will do everything that we can to eradicate such problems. We have worked very closely with the farmers' unions, exporters and the entire industry to maintain our trade with the rest of the world and to ensure that our farmers do not lose out financially because of the foot-and-mouth disease outbreak in England.

I am happy to report that any recent problems have been fairly minimal and have been dealt with very quickly.

Mr T Clarke: What discussions has the Minister had with European Union officials on livestock movement restrictions between Northern Ireland and the rest of the United Kingdom? How will any change in those restrictions affect Department of Agriculture and Rural Development's (DARD) efforts to keep foot-and-mouth disease, as well as bluetongue, out of Northern Ireland?

Ms Gildernew: Officials are working with their European counterparts, and the Chief Veterinary Officer is in constant contact with officials in other EU member states and in DEFRA. We will continue to work at official levels. However, when the EU Standing Committee on the Food Chain and Animal Health makes a ruling, we cannot go beyond the confines of that. If SCoFCAH decides that we are free to trade again with Britain, I do not have the statutory power to prevent imports from coming into the country from England, Scotland or Wales.

I am bound by the statutory obligations of the Department, and by EU rules. I do not have any discretion to go further than the recommendations of SCoFCAH.

Rural Poverty

2. **Ms Lo** asked the Minister of Agriculture and Rural Development what representations she had made to the Minister of Finance and Personnel in regard to the provision of funding to address rural poverty.
(AQO 390/08)

Ms Gildernew: I thank the Member for her question. My Department has submitted a significant number of bids for additional resources for tackling rural poverty to the Department of Finance and Personnel in the 2007 priorities and Budget exercise. That is for the period of 2008-09 to 2010-11. An integral part of those bids for funding is an element to deliver on my Department's obligations under the anti-poverty and social exclusion strategy.

In order to tackle poverty and social exclusion in rural areas, I must ensure that the needs of rural communities are met by equitable access to public services and programmes and through activities that enhance economic opportunities while strengthening and enhancing social infrastructure. An example of that is the regeneration of former military sites into rural hubs where a range of services can be provided.

In addition, as part of the Northern Ireland Rural Development Programme (NIRDP), we will be targeting rural poverty by seeking to improve the competitiveness of the agriculture and forestry sectors through supporting restructuring, development and innovation, by improving the quality of life in rural areas and by encouraging diversification of economic activity. I hope that, by adopting that dual perspective, we will provide a synergistic approach to tackling disadvantage in terms of isolation, lack of facilities and quality of life. To that end, I had a meeting with the Minister of Finance and Personnel, Peter Robinson, on 19 September to discuss the bid that was submitted in the 2007 priorities and Budget exercise, in which specific reference was made to my Department's bid for anti-poverty funding.

Ms Lo: I thank the Minister for her response and for her commitment to address rural poverty. The Minister mentioned the rural development programme. Will the Minister ensure that rural disadvantage is a key priority in the work of the new local action groups and in the rural development programme?

Ms Gildernew: Yes. We have had great experience of local action groups delivering rural development money over the last 17 years. We want to maintain that bottom-up approach, which I feel is the best way of delivering money on the ground. We are asking for councils to help deliver some of that through local administration, and so on. There will therefore be an enhanced role for councils in delivery of the programme. The local action groups will certainly be a key element in that work, and I see them as the strength of the success of the RDP in previous years.

Mr Kennedy: Is the Minister content that the roadshows planned for throughout Northern Ireland — which she announced on 27 September — to promote equality in the new rural development programme will be accessible by all areas of the Province, given that none is planned for County Armagh or for her own rural constituency of Fermanagh and South Tyrone?

Ms Gildernew: I will revisit that point. If there is any potential to expand the roadshows I will be more than happy to do so. I would like to see the public engaging with the roadshows and giving us some guidance, because I very much believe in working in partnership with the rural community. I ask MLAs and local councillors to engage with the roadshows to see

how best we can tackle inequality through the rural development programme.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. Does the Minister agree that the purchase of the Forkhill barracks site in south Armagh could be of great benefit in targeting rural poverty, and will she advise the House of progress in any such initiative?

Ms Gildernew: Go raibh maith agat. Forkhill barracks is only one of several former military and PSNI sites being regenerated, and I believe that that will contribute towards combating social exclusion and poverty. My Department became involved with Forkhill after several approaches had been made to Ministers early in 2006 about the potential opportunities surrounding redundant military sites. As regards Forkhill, my Department is still negotiating, through the Valuation and Lands Agency, with the Ministry of Defence and the PSNI regarding the final purchase price.

I agree absolutely that the project will help to reduce significantly rural poverty and promote social inclusion in the area. It is intended that the site will be regenerated into a rural economic and social hub. It will provide a range of integrated services such as local enterprise units; light industrial units; community space; and childcare facilities; all of which have been identified as being much needed in the area.

Some social housing has also been provided for, and my Department is working with the Housing Executive on that aspect. Forkhill Development Company has developed a concept plan and business case, and those are with my Department for consideration.

Protected Regional Food Status

3. **Mr Hamilton** asked the Minister of Agriculture and Rural Development what progress she had made in securing European Union protected regional food status for Comber potatoes, Strangford Lough oysters, and Portavogie prawns and scampi. (AQO 308/08)

Ms Gildernew: Go raibh maith agat. I want to promote local produce whenever possible. Last week in the Long Gallery, I attended the launch of seafood week. My Department's role is to publicise the EU protected food names scheme, encourage uptake, and progress applications, through DEFRA, to the EU Commission once they have been submitted by the industry.

At this stage, no applications have been received for Comber potatoes, Strangford Lough oysters or Portavogie prawns and scampi. However, I welcome applications from the producers of those products, which I, and no doubt many others here, have sampled.

My Department is happy to offer support and advice to groups that may wish to register products under the EU protected names scheme. We have liaised with Ards Borough Council, which is in the process of communicating with groups representing the products that the Member has identified.

Mr Hamilton: I welcome the Minister's commitment to local produce. Would she would commit to engaging with local producers of Comber potatoes, Portavogie prawns and Strangford Lough oysters so that not only will those products be protected but that they will be enhanced and their full potential realised in the worldwide market?

Ms Gildernew: My Department has been proactive in promoting the scheme. We have consulted with producer groups from all sectors of the food industry and have provided specialist support through an experienced food-and-drinks marketing consultant to outline the benefits of the scheme, which includes the potential to link up with tourism initiatives for those visiting the North and those who are selling into markets that recognise the designation.

Mr McFarland: What are the Minister's plans for bringing forward a positive case for the Northern Ireland fishing industry in negotiations at the EU Fisheries Council meeting in December 2007? Will she ensure that the facts are established, and robustly put, for the defence of the local fishing industry?

3.15 pm

Ms Gildernew: I congratulate the Member on his imaginative use of a supplementary question. Even though it is not directly related to the question, I will answer it. On Friday, I had a meeting with the devolved Scottish and Welsh Administrations, as well as Jonathan Shaw from DEFRA, in Peterhead in Scotland, about issues relating to the fishing industry and what needs to be done to protect it. In recent weeks, I have also met the processor and producer organisations. I will have further meetings in Brussels in October, and I am preparing a robust case for the December Fisheries Council meeting. While our fishing industry may be smaller than Scotland's, for example, it is still an important part of our tradition and culture. I want to see our fishing industry protected, enhanced and sustainable well into the future.

Red Meat Task Force

4. **Dr W McCrea** asked the Minister of Agriculture and Rural Development to make a statement on the publication of the Red Meat Task Force report.
(AQO 325/08)

Ms Gildernew: I welcome the publication of the task force's report, and I take this opportunity to thank

the task force for its work in finalising a report on which all its members agree. While many of the conclusions and recommendations contained in the report make for difficult reading, it presents a more informed picture of the extent of the difficulties faced by producers. The report provides information that will enable farmers and others involved in the red meat supply chain to make more informed choices about the future of their businesses. We must take stock — collectively — to consider the recommendations and the ways forward.

My Department will respond positively to the report, and it is ready to work through it with the other key stakeholders. I have written to Dr McCrea in his role as Committee Chairman inviting views on the report, and I look forward to hearing interim views — tomorrow, I hope.

Dr W McCrea: As is clear from the findings in the red meat task force report, the returns to Northern Ireland's beef and sheep industry at the farm gate are far from meeting the totality of cost. Can the Minister therefore inform the House what new practical or imaginative steps she will take to ensure the future stability of the industry? In light of the assessment that a significant increase the market price per kilo is necessary to give a proper economic return for the production of red meat, can the Minister inform the House what negotiations she or her Department have had with processors and retailers to assist in achieving that end?

Ms Gildernew: In my initial speech on coming into this Department, I said that I was keen to work with everybody involved in the supply chain, and that includes processors and retailers. Last week, I met Grampian Pork's chief executive and members of his senior team, and I have met representatives from Foyle Meats. I have also had a recent meeting with Tesco, and I hope to meet Justin King from Sainsbury's this week to discuss those issues. I will meet representatives from Asda on Friday.

I am conscious of the need to work with all the stakeholders in ensuring that primary producers get a better return. However, I do not have control over the price that is paid for produce. I will do everything in my power, but I cannot interfere with competitive issues, such as the retail price. The task force report states that the market is unlikely to deliver the significant pence-per-kilo increase that would be needed for our most efficient producers to break even. The report also makes it clear that the price that consumers pay does not reflect production costs for the quality beef and lamb produced in the North. I am doing all that I can, and I will continue to do so to encourage constructive relationships and dialogue across the supply chain. That will include working

with retailers to ensure joint efforts in helping to address the challenges facing beef and lamb producers.

Mr Elliott: Considering the demoralising content of the Red Meat Industry Task Force report, will the Minister give consideration to the option of short-term direct financial assistance for the suckler cow farming enterprise?

Ms Gildernew: The task force report focuses on the economic viability of producing beef and lamb here. That does not translate to an immediate income crisis. The range of payments made to farmers through the single farm payment and other schemes are substantial, and they give us some space to take stock and to consider the way forward. My Department will assist in whatever way it can, but, as the task force report says, the current structure of our industry is not viable, and we need to secure change.

I will ensure that Government resources are focused and targeted on viable production options.

Mr P J Bradley: The Northern Ireland Red Meat Industry Task Force suggests that farmers should sell off their livestock; cut production; diversify; accept lower returns; or exit the business altogether. As the custodian of agriculture, does the Minister subscribe to that suggestion? If not, to what estimated timetable would she work to reinstate the red meat industry of Northern Ireland?

Ms Gildernew: Farmers certainly need to take stock, look closely at their own circumstances and come to the right decision for them and their families. However, I realise that there is an increasing decline in the number of producers, and we may need to look at alternative business opportunities and support for those producers.

I also have to keep wider environmental and social objectives under close review as we move forward on the report's findings and recommendations. I will engage fully with all stakeholders in doing that.

Agricultural Careers

5. **Mr Burnside** asked the Minister of Agriculture and Rural Development what measures her Department was taking to encourage young people to embark on an agricultural career. (AQO 318/08)

Ms Gildernew: Young people entering the farming industry have a strong future and are vital for the prosperity of the industry and the rural community.

Through the College of Agriculture, Food and Rural Enterprise (CAFRE), the Department offers programmes to equip young people with the knowledge and skills for successful careers, not only in farming, but in the equine sector, food processing, horticulture, floristry, land-based technology, veterinary nursing and related disciplines.

If they have not already done so, I recommend that Members visit the CAFRE campuses at Enniskillen, Greenmount or Loughry, where they will be impressed by the programmes that are being delivered. College staff are working closely with post-primary schools to promote careers in the industry and CAFRE programmes. Each year, schools receive a college prospectus, associated promotional material, school visits and briefings for careers teachers. College staff attend careers conventions and major industry events, and host open days for prospective students, parents and DEL careers advisers, while promotional adverts and articles are regularly published in the farming press.

Although CAFRE full-time courses have already commenced this year, places are still available on some part-time courses, such as the part-time NVQ programmes in agriculture that are provided by CAFRE at various locations throughout the North. I am keen to raise the profile of agriculture, food and the rural environment among young people, and I commend the work of CAFRE, Lantra and the CCEA in preparing a land-based occupational studies option for the 14- to 16-year-old age group in schools under the new entitlement framework.

As well as further and higher education programmes, CAFRE will be delivering agricultural training under DEL's new Training for Success programme. I will ensure that our highly innovative and successful multi-skilling programme, which helps young people combine off-farm employment with part-time farming, can continue under the new framework. College staff are working with DEL and the regional colleges to secure that outcome.

I apologise that this answer is so long, but I wanted to give Members all the information. The new entrants' scheme is still open to young farmers under 40 who possess adequate competence and who are setting up as head of a holding for the first time. The scheme provides an interest-rate subsidy on loans for eligible projects that add value and make a positive impact on the farming industry and the broader economy.

Mr Burnside: I thank the Minister for that almost comprehensive statement, but it was not quite comprehensive enough.

Will the Minister consider giving the new entrants' scheme more flexibility in the head-of-holding requirement that currently has to be within one year — which excludes a number of applicants who may be head of holding for 15 months to two years?

With regard to the response that the Minister gave to my colleague Tom Elliott on the relationship between DARD and the Planning Service on viability criteria, it is her Department that recommends most of the criteria, but 50% are being turned down by the Planning Service. Therefore, there must be many applications

for the holding criteria that are being turned down. Why is the Department doing that?

Ms Gildernew: First, my Department does not make the decision on planning permission. That is made by the Planning Service, which is under the auspices of the Minister of Environment.

Secondly, the Planning Service asked the Department of Agriculture and Rural Development for figures on viability. However, the decision is not made on that basis alone. If someone applies for planning permission and is turned down for ribbon development for lack of integration or for green-belt reasons, those are also the criteria for turning down an application. The Member's figures do not point to the fact that the Department of Agriculture and Rural Development does not turn people down for planning permission: the Planning Service has the statutory obligation to look after planning.

Mr Burnside's supplementary question was so long that I have forgotten the first part. Can he remind me of it?

Mr Burnside: It was about the head-of-holding requirement, which at present —

Mr Speaker: Order.

Ms Gildernew: I apologise. I have carefully examined the issue of head of holding. I have also asked young farmers' clubs for their advice and have made several changes. I accept the fact that sometimes matters take a wee while to bed in. However, the Department has criteria to follow. It tries to get a resolution as early as possible, and it tries to get as many young farmers as possible into the new entrants' scheme. However, it is not always easy in respect of the head of holding. I will do more to try to ensure that more young farmers get in. I am keen on the new entrants' scheme, and I want to see as many people as possible taking it up.

Mr Shannon: In a way, the Minister has answered my supplementary question. The DUP has campaigned for the new entrants' scheme for a long time, as have many others. To that end, has the Minister carried out any work to review the new entrants scheme in order to introduce tangible and practical recommendations for the future?

Ms Gildernew: I do not have the answer to that question as it relates to educational issues. However, I am happy to write to the Member with the relevant information.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. The Minister has touched on the issue that I want to raise, which is farm viability. She was technically correct when she said that the ultimate decision rests with the Planning Service, but I am asking about cases in which there are no other planning criteria. Incidentally, the green belt has gone.

Last week, we heard from the Minister's party and her ministerial colleague Mr Murphy that the rural planning review group, set up by the Executive and chaired by him, had not met for three months. In light of the severely restrictive farm viability criteria —

Mr Speaker: Order. This is the third time that I have had to call for order. Members ought to know that a supplementary question must relate to the original question. On several occasions today, that has not been the case. Will the Member ask a supplementary question on the original question?

Mr McGlone: I am sorry, Mr Speaker. I will clarify. My point is that the original question referred to embarking on a career in agriculture. If people want a career in agriculture, where will they live? Will the Minister give an update on whether a review has been carried out on farm viability criteria for part-time farmers to ensure that they could embark on that part-time career and live beside their work?

Ms Gildernew: I am a member of the inter-departmental working group and I will examine that issue. I am opposed to PPS 14, and I am in favour of doing anything that can be done to allow farmers to live at their workplace. The interdepartmental working group will consider all the issues, and I will make my decision based on what is right for our young farmers.

Crossnacreevy

6. **Mr McCallister** asked the Minister of Agriculture and Rural Development, in light of the decision to dispose of the facilities at Crossnacreevy, to detail how she intends to maintain the work undertaken at the site. (AQO 368/08)

Ms Gildernew: The relocation of the work programme at the plant testing station at Crossnacreevy will be progressed through a project led by the Agri-Food Biosciences Institute (AFBI) and DARD. During the initial stages of the project, the focus will be to specify the scientific and agricultural requirement of any new site. That will assist in identifying and evaluating options for the relocation of the ongoing services provided at the site, so that the work programme, and AFBI's contractual commitments, are not prejudiced. It will also inform AFBI on decisions regarding its future estate strategy. Once a site has been agreed with my Department, a detailed timescale and implementation plan will be developed, which will involve the orderly transfer of the work programme, some of which will take over three years to effect.

That is due to the cyclical and long-term nature of the trials. During that time, the work programme will continue on the Crossnacreevy site, and decisions on its disposal and on the associated timetable will

complement the relocation project. Key scientific staff will be closely involved throughout the process.

3.30 pm

Draft terms of reference and an outline business case for the relocation of the functions conducted at Crossnacreevy are being agreed with AFBI. Preliminary fact-finding work has been undertaken, and I assure Members that the greatest possible care will be taken to manage the relocation of that valuable work.

Mr Speaker: Time is up.

CULTURE, ARTS AND LEISURE

Creative Arts and Culture

1. **Mr Cree** asked the Minister of Culture, Arts and Leisure what is his assessment of the role played by Creative Arts and Culture in strengthening the local economy and supporting regeneration; and what plans he has for encouraging such initiatives. (AQO 371/08)

The Minister of Culture, Arts and Leisure (Mr Poots): Arts and culture play an important role in strengthening the local economy and supporting regeneration. In 2005, it was estimated that there are more than 2,500 creative enterprises in Northern Ireland, employing 34,600 people, and representing 4.7% of employment.

Cultural and creative industries and a thriving art scene act as catalysts for developing tourism, inward investment and enhancing the quality of life for all. Cultural tourism is growing faster than any other tourist segment, with an estimated 224,000 visitors a year to Northern Ireland engaging in cultural activities. Arts Council programmes, such as the art of regeneration and re-imaging communities, help to regenerate public spaces.

I aim to exploit the potential of culture and the arts to develop Northern Ireland as a world-class creative and cultural region that generates wealth and sustainable employment opportunities in the creative-industries sector.

The arts are the backbone of the creative industries, and I recognise that a public-funding deficit has accumulated in Northern Ireland over many years. I have called for an increase in funding for the arts in the comprehensive spending review; I am bidding for seed funding to help emerging businesses in the creative-industries sector, and I will continue to support Northern Ireland Screen to develop the film and television industry, which has gone from strength to strength in Northern Ireland.

My Department is investing more than £27 million to significantly enhance the arts infrastructure in Belfast and Londonderry, and I am bidding for additional capital funding from the investment strategy for Northern Ireland (ISNI 2).

DCAL will continue to work with colleagues in the Department of Education, the Department for Employment and Learning, the Department of Enterprise, Trade and Investment and with Invest NI to promote the creativity agenda.

Mr Cree: I thank the Minister for that full and comprehensive response. Will he provide details of the funding provided to the creative arts and culture during the past three years and set out how that compares, on a per capita basis, with funding in other parts of the United Kingdom?

Mr Poots: I will provide the Member with a written breakdown of the funding over the past three years. The arts and creative industries employ 4.5% of the working population in Northern Ireland and 6.8% in the rest of the UK. We intend to meet that gap.

Mr McCausland: In view of the fact that the creative industries are the fastest growing sector in the British economy, what measures is the Minister taking to boost those industries in Northern Ireland?

Mr Poots: DCAL established a creativity seed fund in 2001 using Executive programme funds and distributed £2.8 million to 96 creative-learning and creative-industries projects between 2001 and 2004. That funding has now been terminated. However, there is still a gap in support. Many micro-businesses and small enterprises operating in that sector are too small to become Invest NI client companies. Many entrepreneurs in the sector require start-up finance, business-planning assistance, access to finance and help with product development and marketing. Therefore, the Department will be bidding for a further creativity seed fund in the 2007 comprehensive spending review.

Mr Durkan: I thank the Minister for his answer, which underlines the importance and potential of the creative-industries sector. Has he considered how his Department might work with Invest NI, and others, on bids and plans to support growth in that sector using new money from the innovation fund, arising from the representations made to the former Chancellor by all parties prior to devolution?

As some people seem to think that there are going to be difficulties in spending that money, the creative-industry sector could have come up with a sound platform for expenditure.

Mr Poots: We are happy to work with Invest Northern Ireland, and, indeed, with DETI in assisting them to spend the funding that comes from the innovation fund. Obviously, DETI has the lead role

regarding the creative industries; we are involved in seed funding, particularly for the creative youth categories. Therefore, if the Chairman of the Committee for Enterprise, Trade and Investment is encouraging my Department to get some of that money, we would be happy to oblige.

Performing Arts Facility

2. Lord Morrow asked the Minister of Culture, Arts and Leisure, given the high level of talent in Northern Ireland in the performing arts, what priority he has given to a dedicated performing arts facility for Northern Ireland. (AQO 327/08)

Mr Poots: Rather than invest in one performing arts facility for Northern Ireland, it is the policy of my Department in conjunction with the Arts Council of Northern Ireland to support existing organisations to develop their infrastructure and performance facilities.

In addition to the £6.3 million already invested in the extension to the Grand Opera House, further funding has been committed for the following performing arts venues: the Lyric Players' Theatre has been awarded a DCAL contribution of £6 million and £2.25 million from the Arts Council; the Old Museum Arts Centre will receive £4 million from DCAL and £4.25 from the Arts Council; the Crescent Arts Centre will receive £2.5 million from DCAL and £1.45 million from the Arts Council; the Ulster Hall will receive £2 million from DCAL and £687,000 from the Arts Council; the Waterside Theatre in Londonderry has received £777,000 from DCAL; the Playhouse Theatre has received £416,000 from DCAL and £1.1 million from the Arts Council; and An Gaeláras has received £363,000 from DCAL and £650,000 from the Arts Council.

That money will deliver a new Lyric Theatre on Ridgeway Street, a new metropolitan arts centre in St Anne's Square in the Cathedral Quarter, and a refurbished and enhanced Ulster Hall and Crescent Arts Centre. In Londonderry, it will help to deliver a refurbished and enhanced Waterside Theatre and Playhouse Theatre, and a brand new Irish language centre and arts centre in Great James Street.

In addition to the Arts Council funding, Lottery capital grants provided funding to the following main regional venues: the Marketplace Theatre and Arts Centre in Armagh received £3.67 million; the Ballymena Arts Centre received £2 million; the Flowerfield Arts Centre in Coleraine received £1.38 million; the Burnavon Arts and Cultural Centre in Cookstown received £1.12 million; the Millennium Court Arts Centre in Craigavon received £1.09 million; the Island Arts Centre in Lisburn received £1.3 million; the Strule Arts Centre received £4 million and the Alley Arts and Conference Centre in Strabane received £758,000.

Lord Morrow: I thank the Minister for his detailed and comprehensive answer. If I lived in Londonderry or Belfast, I would be quite happy. However, I do not live in either. Does the Minister share my concern at the lack of funding and expenditure in places such as Fermanagh and South Tyrone, but also in rural Northern Ireland in general? Will the Minister give an assurance that his Department will consider funding for rural areas in Northern Ireland?

Mr Poots: Yes, I will. A number of regional councils have stepped up to the mark. For example, I believe that Omagh Council has spent somewhere close to £10 million developing the Strule Arts Centre, of which my Department has contributed £4 million. We contributed £758,000 to the Alley Arts and Conference Centre in Strabane to help to deliver a £4 million project.

From what I have read regarding venues in the Belfast City Council area, there is a substantial shortfall in the case of the Lyric Theatre, the Old Museum Arts Centre, the Crescent Arts Centre and others. It is not for my Department to pay for it all. Ultimately, if Belfast City Council does not step up to the mark, in the way that the regional councils have done, I am afraid that there is a risk of those projects being lost.

Mr McNarry: Will the Minister assure the House that the advent of a dedicated performing arts facility will ensure that all sections of society are equally encouraged to participate in its activities, and that it will make strenuous efforts to reach out in a spirit of inclusiveness?

Mr Poots: That is certainly my desire, and if there is any indication or evidence that that is not the case, those matters should be brought to my attention.

Mrs M Bradley: Has the Minister's Department had discussions with universities to explore partnerships or synergies that could be developed between the performing arts in the academic, community, civic and commercial settings?

Mr Poots: My Department works closely with the Queen's University of Belfast on the Belfast Festival at Queen's to ensure the ongoing delivery of that festival, and is happy to work with universities in delivering arts projects.

Minority Ethnic Groups: Arts Funding

3. Ms Lo asked the Minister of Culture, Arts and Leisure to detail the funding given to minority ethnic groups by the Arts Council of Northern Ireland to fund arts events or projects. (AQO 392/08)

Mr Poots: The funding provided for minority ethnic groups by the Arts Council of Northern Ireland in recent years is as follows: in 2005-06, the Mandarin Speakers Association received a grant of £10,000 and a

grant of £134,930, which was spread over three years; the Chinese Welfare Association received £9,785; the Afro-Community Support Organisation of Northern Ireland received £5,150; the Belfast Travellers Support Group received £4,370; St Columb's Park House received £8,394; Newtownards Road Women's Group received £7,500; Live Music Now! Ireland received £8,200; Border Arts received £6,140; and the Indian Community Centre received £5,920. The Chinese Welfare Association received a further £5,550 in 2007-08.

Ms Lo: Those are all very small grants. In the past, ethnic minority groups have been marginalised in getting access to Arts Council grants. Will the Minister assure me that such groups will receive encouragement and support in accessing better public arts funding in future?

Mr Poots: In proportion to my Department's budget, those are not small amounts. The Department of Culture, Arts and Leisure is one of the smaller Departments. A grant of £134,000 is a significant grant. Nonetheless, within the Arts Council, a dedicated officer works with ethnic and minority communities, and we will consider each application on the basis that it is made. Perhaps the reason for the lower amount in 2007-08 is that applications were not forthcoming; we cannot give grants if applications are not made.

Mr K Robinson: Does the Minister agree that the recent successful Belfast Mela 2007, held in the Botanic Gardens in Belfast and staged by ethnic groups resident in Northern Ireland, provides a useful model for celebrating diverse cultures and aiding the process of integration? Will his Department undertake to work with its organisers to build on that event for future years?

Mr Poots: My Department is happy to work with those who bring forward proposals that meet the relevant criteria. I believe that that festival did so.

Mrs Hanna: Has the Minister considered the potential for the North's growing ethnic minority community to contribute to social and cultural diversity and, in so doing, improve international relations?

Mr Poots: People from other countries bring fresh cultures to Northern Ireland, and that has been to the good. As I have said, the Department has a dedicated officer within the Arts Council of Northern Ireland who deals with people from ethnic communities and assists them in developing the arts infrastructure for those communities.

Irish League Football

4. **Mr Spratt** asked the Minister of Culture, Arts and Leisure what action he intends to take to improve the quality of stadia in Irish League football.
(AQO 305/08)

10. **Mr Elliott** asked the Minister of Culture, Arts and Leisure, in light of live screenings of Cliftonville Football Club versus Linfield Football Club on television, to outline his plans to encourage and promote television coverage of Irish League football.
(AQO 372/08)

Mr Poots: With your permission, Mr Speaker, I will answer questions 4 and 10 together.

Responsibility for improving the quality of stadia in Irish League football rests with the owners of the venues. However, Sport Northern Ireland, which is responsible for the development of sport, including the distribution of funding, runs a number of programmes to help owners of sport venues, including Irish League venues, to improve the quality of their stadia. These include a stadia safety programme and a soccer strategy playing facilities programme.

Responsibility for encouraging and promoting television coverage of Irish League football rests with the governing body of football in Northern Ireland, the Irish Football Association (IFA), and Irish League football clubs. Improving the visual coverage of football, including television coverage, is also one of the key recommendations of the soccer strategy initiative, which is being implemented by the IFA, with assistance from Sport Northern Ireland. In line with that recommendation, the IFA recently agreed a new four-year contract with Sky TV for televising major Northern Ireland matches.

That deal covers full international games, under-21 international games and Irish Premier League games. The live screening of the Cliftonville versus Linfield league game was the first match to be broadcast under this contract.

3.45 pm

Mr Spratt: Will the Minister agree that Irish League football is an improving product, evidenced by, as he has said, the recent Sky TV coverage of the Linfield versus Cliftonville game, and that the stadia and training facilities should similarly improve in order to further enhance the game in Northern Ireland? Furthermore, following speculation at the weekend about the future viability of Windsor Park, what support does Sport Northern Ireland contribute to improve the quality of Irish League stadia? In the light of the entry requirements, is there likely to be further support?

Mr Poots: Very few Irish League grounds meet UEFA standards, and, therefore, work must be done to improve spectator safety and comfort at their venues.

Under the programme, Sport Northern Ireland has already made offers of awards to five Irish League clubs — Ballymena United Football Club, Cliftonville Football Club, Crusaders Football Club, Donegal Celtic Football Club and Portadown Football Club,

which are collectively worth approximately £3 million. Over the past two years, Sport NI has provided an additional £610,000 from the soccer strategy for improvements to Irish League grounds that were used for the staging of the UEFA under-19 football championship finals in 2005.

We will look at all bids as they come in, including bids from Linfield Football Club, if it wishes to make one.

Mr Elliot: I thank the Minister for his answer on the televising of Irish League matches. Has the Minister had any communication or contact with television companies regarding the contract or future coverage?

Mr Poots: Personally, I have not had contact with them as that is not my task. That is a matter between the Irish League and the television companies. I understand that the Irish League negotiated a successful contract with Sky TV to the tune of £10 million over four years, which will lead to a significant cash injection into local football.

Mr P J Bradley: Will the Minister provide his Department's assessment of the value of the Setanta Cup in view of its increasing popularity? Will he encourage a Celtic cup competition to include participation of Welsh, Scottish and Irish teams, which would undoubtedly improve the quality of football and create greater revenue for spending on local stadia?

Mr Poots: The Setanta Cup has been a success story and has brought fresh money into Irish League football, and I look forward to the completion of negotiations for the Celtic cup and to the extension of the Setanta Cup competition to include clubs from Scotland and Wales, which will raise the quality of competition that exists in football in Northern Ireland.

Mr Kennedy: Will the proposed national stadium, whether located at the Maze or at any other venue, have other financial consequences for necessary improvements to Irish League stadiums?

Mr Poots: The IFA has made it clear that a maximum capacity of 14,000 is not enough for it to operate as it would wish. Therefore, it is imperative that it gets a larger stadium for its matches. If it does get a larger stadium, there will be more money to spread around Northern Ireland football in general. The IFA has made it clear that it needs a larger stadium, and if we choose to do up one stadium in Northern Ireland, it will lead to less money going to other clubs.

Gaelic Language Event: Mull and Iona

5. **Mr Ross** asked the Minister of Culture, Arts and Leisure to detail the total cost for the Gaelic language event held in Mull and Iona in Scotland; and the number of paying participants that attended the event.
(AQO 337/08)

Mr Poots: I assume that the Member refers to the Colmcille festival, Fèill Chaluim Chille, which was held in Mull, Iona and Oban between 8 and 10 June 2007. The total cost of the festival was £130,330 of which £64,469 was provided by Colmcille.

Colmcille receives one third of its overall funding from my Department. Its draft report on the festival states that 2,611 participants attended, several thousand visited the three ancillary exhibitions, and 252 attendees paid entry into the only ticketed event, which was a concert held at Torosay Castle on Mull. Ticket sales for the event raised £4,200.

Mr Ross: Given the significant cost of the event, the poor number of paying attendees and the fact that part of its funding comes from his Department, does the Minister believe that the festival was value for money? What plans does he have for Colmcille's future operations?

Mr Poots: Consideration is being given to the transferral of Colmcille's operations to Foras na Gaeilge. A judgement on whether the festival was value for money is one that Members may wish to make themselves on the basis of the information that they have heard.

Mr McClarty: Will the Minister give an assurance that similar Ulster-Scots, Ullans and Lallans and other events and projects to be held in Scotland will be given equal encouragement and funding from his Department?

Mr Poots: Its status means that the Ulster-Scots Agency cannot work outside the boundaries of Northern Ireland and the Republic of Ireland. Therefore, the Ulster-Scots Agency could not hold such a festival in Scotland. That has been inherited from the first Administration, which the Member may know a little more about than I do.

Mr D Bradley: Ba mhaith liom a fhiafraí den Aire an bhfuil pleananna ar bith eile áit ar bith nascanna soisialta teangan agus cultúrtha a níomh idir teangacha dúchais na hÉireann, na hAlban agus na Breataine Bige. I congratulate the Minister on his excellent pronunciation. Can he outline whether his Department has plans to develop further the social, linguistic and cultural links among the various native languages in Ireland, Northern Ireland, Scotland and Wales?

Mr Poots: The Member will be aware that most speakers of Scots Gaelic are Scottish Presbyterians. The difference between what is going on in Northern Ireland and what is going on in Scotland is that the Gaelic language is not being politicised there. Some Members could improve that situation greatly if they were to take a more measured and considered approach to the matter.

2013 World Police and Fire Games

6. **Mr Hilditch** asked the Minister of Culture, Arts and Leisure to detail the support he is giving to assist with hosting the World Police and Fire Games in 2013. (AQO 311/08)

Mr Poots: My Department was actively involved in the bidding process to secure the World Police and Fire Games for Belfast in 2013, and it continues to work closely with the organising committee on the preparation of a strategy to ensure that the games are delivered in accordance with the World Police and Fire Games Federation's requirements and the procurement and accountability practices of all stakeholders.

Mr Hilditch: I am sure that the Minister will agree that hosting the games will be an excellent sporting success for Northern Ireland, with an expected 25,000 visitors to the greater Belfast area. What economic benefits are the games expected to bring to Northern Ireland?

Mr Poots: The value of hosting that event cannot be overestimated. The total economic benefit of the games to Northern Ireland is predicted to be £19.293 million, which will come primarily from visitors from outside Northern Ireland. An economic-impact-ratio calculation in the draft strategic outline business case showed a projected return of £6.38 for every £1 of public-sector investment. That is a significant return on investment when compared to that of other major events.

Moreover, significant media coverage of the games is delivered around the world. Based on previous games, it is anticipated that the 2013 World Police and Fire Games will generate more than £500,000 from international television coverage, primarily in Northern Ireland's key markets, which are the United States, Canada and Europe.

Mr Burns: Does the Minister's Department support the first ever all-island emergency service games that were held in Dublin at the weekend? Will he support the staging of those games in Northern Ireland in 2008?

Mr Poots: No one has ever before brought that matter to my attention, or lobbied on it. Everything will be given due consideration if it is brought to my attention.

Mr Elliott: Will the Minister inform the House of what other major sporting or cultural events he has secured for, or is hoping to attract to, Northern Ireland during the five-year period of 2008-12?

Mr Poots: Among those events that are being bid for are football matches in the 2012 Olympic Games. We are also considering UEFA events for the under-21s, which would be held in Northern Ireland and the Republic of Ireland. Aside from those events, we have bid for the World Transplant Games, and a series of

bids for significant sporting events has been launched by the Northern Ireland Events Company. The World Police and Fire Games is the second-largest world sporting event, after the Olympics. That is why I said — at the outset — that the benefits that that event could bring to Northern Ireland's community cannot be overestimated.

The Northern Ireland Strategy for Sport and Physical Recreation 2007-17

7. **Mr McElduff** asked the Minister of Culture, Arts and Leisure to give a timescale within which he will bring the draft consultation on the Northern Ireland Strategy for Sport and Physical Recreation 2007-2017 before the Executive. (AQO 356/08)

Mr Poots: The responses to the draft Northern Ireland strategy for sport and physical recreation 2007-17 were submitted to the Committee for Culture, Arts and Leisure for consideration in June 2007. The Committee was also briefed on the context of the document by DCAL and Sport Northern Ireland officials at its meeting of 28 June 2007. Since then, I have circulated the draft document to Ministers, who discussed it at the meeting of the Northern Ireland Executive on 27 September 2007. At that meeting, Ministers agreed to my recommendation that the draft strategy should be published for consultation. I plan to make a statement to the Assembly on that matter on 9 October 2007.

Mr McElduff: What level and extent of consultation has there been with the governing bodies of sport, such as the GAA, Cumann Lúthchleas Gael, the IFA and the Ulster branch of the Irish Rugby Football Union, in relation to the strategy? Also, could the Minister explain why, earlier today, he refused my request — as Chairperson of the Committee for Culture, Arts and Leisure — that a copy of the statement that he will make to the House tomorrow be made available this afternoon? Instead, I received a fax at 1.30 pm that stated that a statement would be made tomorrow, and that I should wait until then. I was a bit put out by that.

Mr Poots: All good things come to those who wait. There has been extensive consultation with stakeholders throughout the process. In developing the strategy, DCAL and Sport Northern Ireland have worked closely with other Departments, including the Department of Health, Social Services and Public Safety; the Department for Social Development and the Department of Education.

In addition to that, and prior to beginning to work on the strategy, there were extensive independent consultations with key stakeholders, including district councils, the voluntary sector, the sports governing bodies, clubs, athletes, business interests, community

and rural interests, and the wider public. The purpose of those consultations was to gather views on the issues facing sport in Northern Ireland, and how those could best be reflected in the new strategy.

It is normal protocol for ministerial statements to go out at the time of the statement being made. The Speaker has been furnished with the statement already.

Lord Browne: I welcome the fact that, after two years, the draft Northern Ireland strategy for sport and physical recreation 2007-17 will be made available for consultation. It is a comprehensive and ambitious document. I ask the Minister whether sufficient funding will be made available to deliver the much-needed strategy contained in the document?

Mr Poots: That is certainly a challenge. If we deliver a strategy on that scale, which embraces all aspects of sport in Northern Ireland, there must be a genuine partnership approach to funding among all stakeholders. I am keen to do whatever I can to support the strategy's delivery and, for that reason, it forms a major part of my bid under the comprehensive spending review. I await the outcome of that process. However, all bids are subject to the normal budgetary processes.

Ulster-Scots Academy

8. **Mrs Long** asked the Minister of Culture, Arts and Leisure to outline the process his Department will use to consider proposals for an Ulster-Scots academy. (AQO 391/08)

Mr Poots: The public consultation on proposals on for an Ulster-Scots academy closed on 24 September 2007, in accordance with the guidance contained in OFMDFM's 'A Practical Guide to Policy Making in Northern Ireland'. The Ulster-Scots academy implementation group will now undertake an analysis of the consultation responses and reappraisal of the options. I expect the implementation group to present me with a revised set of proposals, and I will then take a decision on which recommendations should be implemented. My decision will, of course, be subject to engagement with the Committee for Culture, Arts and Leisure and my Executive colleagues.

4.00 pm

Mrs Long: Can the Minister provide an assurance that, as a minimum, the Department would require a full business proposal, including a budget and clarification of auditing, accounting and recruitment processes, before embarking on the academy?

Mr Poots: That would always be the case.

ASSEMBLY BUSINESS

Mr K Robinson: On a point of order, Mr Speaker. Before we move on to the next item of business, can I draw your attention to the 'Northern Ireland Assembly Companion: Rulings, Convention and Practice', in which a previous Speaker, the then Initial Presiding Officer, outlined the protocol for the use of languages other than English in the Chamber. He felt that, as a courtesy to other Members, a Member who chooses to speak in another language should give a full translation of what has been said.

During Question Time, a Member prefaced his remarks in what I believe was Irish. He then transferred some of his thoughts into English. Mr Speaker, can you assure the House that he complied with the guidance that the previous Speaker gave, and did you take steps to check that? I believe that you have at your disposal a device that allows you to hear a simultaneous translation. I raise this issue just in case another language is used in the next 15 minutes.

Mr McElduff: Further to that point or order, Mr Speaker. Will the a Cheann Comhairle perhaps extend the simultaneous translation system, the C  ras aistri  cha  n, to all 108 Members, so that Members can make up their own minds whether Standing Orders are being adhered to? Go raibh maith agat, a Cheann Comhairle. Keep her lit.

[Mr K Robinson rose.]

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

Standing Orders are quite clear. Members can speak in whatever language they choose in the House, but, as a courtesy, they should then translate their comments into English.

Some Members: Hear, hear.

Mr Speaker: That is the issue. Let me make that absolutely clear.

Mr D Bradley: Further to that point of order, Mr Speaker In light of the previous comments, I want to assure the House that I provided a full and faithful translation of everything that I said, at no extra charge to the House.

[Mr K Robinson rose.]

Mr Speaker: With the greatest respect, I ask the Member to take his seat. This debate is now over. The last point of order moved away from the original point of order. I do not want to repeat myself, but Members ought to know the procedures in the House with regard to Standing Orders and speaking in another language.

PRIVATE NOTICE QUESTION

Strike Action by Classroom Assistants

Mr Speaker: I have received a private notice question, in accordance with Standing Order 20, for the Minister of Education.

Mrs Long asked the Minister of Education, given that the continuation of strike action by classroom assistants has resulted in the closure of special schools, what arrangements are being, or have been, put in place for children with special needs who access specialist therapy, such as physiotherapy, occupational therapy, speech and language therapy, through their respective schools.

The Minister of Education (Ms Ruane): Two weeks ago, I advised the Assembly that I had undertaken to intervene in this matter with three objectives in mind. The first objective was to ensure that the interests of the children, classroom assistants and parents are paramount. The second objective was to ensure that the employers pay those staff the money that they deserve and for which they have already been waiting too long. The third objective was to facilitate the discussions between the management and the unions so that the outstanding issues can be resolved.

Nuair a phléigh muid an t-ábhar seo ar 19 Meitheamh, ghlac mé leis go raibh an scéal ag dul ar aghaidh ar feadh ró-fhada agus gá é a réiteach. Rinne mé amach labhairt leis na boird agus leis na ceardchumainn faoin ábhar.

When we debated the issue of classroom assistants on 19 June 2007, I accepted that the dispute had gone on for far too long. I undertook to speak to the education and library boards and the trade unions to urge them to resolve the dispute. It is my priority to ensure that classroom assistants receive promptly the money that they are due, and to do all I can to prevent the disruption of the affected children's education.

I have made it clear that I want an agreement, and I continue to do everything in my power to ensure that outcome. There are established channels through which the issues are to be resolved; I have always made it clear that parallel talks would be totally counter-productive. Any imposed solution would be a contradiction in terms. I am determined to see an agreed settlement.

Ba mhaith liom a chur in iúl, arís eile, go bhfuil an-mheas agam ar chúntóirí ranga agus an obair a dhéanann said. Tuigim go bhfuil litir oscailte eisithe ag an Taobh Bainistíochta ag míniú go mion téarmaí na tairsceana. Mholfainn do gach duine machnamh ceart a dhéanamh ar an tairiscint. [*Interruption.*]

Mr Speaker: Order.

Mr Burnside: On a point of order. This is terribly important for the fair conduct of business in the House. Mr Speaker, do you or your clerical assistants have a full, educated understanding of the Gaelic language? If you do not, how can you rule that contributors are in order?

Mr Speaker: Order. The Member must take his seat. That is not an appropriate point of order.

Ms Ruane: Ó rinneadh tairiscint níos fearr a mholadh ar an 29 Meán Fómhair chuirfinn ceist orthu siúd a bhfuil baint acu leis an ghníomhaíocht tionsclaíoch gan aon aicsean a dhéanamh a chuireann ualach an aighnis ar na páistí agus ar na teaghlaigh is mó a bhfuil cuidiú de dhíth orthu.

As a result of my intervention in this matter a revised offer was tabled by the management side, and all sides have described the result as representing substantial progress. I understand that three of the four unions involved in the collective negotiation process, and which are not taking industrial action, are currently consulting with their members about the full terms of the proposed offer. I am glad that those unions are giving the offer the consideration it deserves. It is important that that consultation process is completed before the unions meet again with the management side.

I reiterate that I have the utmost respect for classroom assistants and the job that they do. I am aware that the management side has issued an open letter to all classroom assistants, explaining in detail the full terms of the offer. I urge everyone to give the offer their full consideration. I am aware that, from today, a number of the unions intend to hold a series of meetings to explain the details of the offer, and have provided their members with a question-and-answer document, as they are concerned to ensure that classroom assistants are in receipt of the maximum amount of information.

The particular focus of Mrs Long's private notice question is the position of children with special educational needs, and in particular, those in need of specialised therapies. The most effective way of addressing that will be to bring an end to the dispute. Once again, therefore, I ask all classroom assistants to carefully consider the offer.

My Department has sought information from each of the education and library boards as to the contingency measures for that particular group of pupils. They have advised us that the paramount consideration in this situation is the safety in the classroom of children with special educational needs. Where an assessment of risk carried out by the special school determines that a child's safety cannot be assured, that child's attendance is deemed inappropriate. Education and library boards will ask schools to undertake an assessment of risk in

order to determine the application of uniform criteria for the admission of children to individual schools.

I have also noticed that some misinformation exists in the Chamber. Let me be helpful, and give Members a brief idea of what the revised offer actually means. As a result of the additional £15 million, every classroom assistant will receive a one-off payment that can be £1,613 or £2,478, depending on length of service. That offer recognises a movement from the historical terms and conditions of service. Up to 50% of classroom assistants will receive job evaluation arrears amounting to around £25.2 million. Classroom assistants in special schools will receive the highest payment for job evaluation arrears, which could be up to £20,000 each. As I announced last week, there will be a review of support staff in schools which will consider such issues as qualifications and career development for classroom assistants.

No classroom assistant will lose any pay. No classroom assistant will be forced to increase their hours, and there will be no cut in hours. There will be full salary and pension-protection arrangements. Those classroom assistants who were on protected salaries will continue to receive salary increases on elements of their salary. Therefore, nobody will be worse off. Many will receive considerable back pay in arrears, and every classroom assistant will gain from the £15 million that is designated for the movement from historical terms and conditions.

Whatever people's views on the wider issues, there can be no denying that the offer is substantial. It recognises the important role that classroom assistants play as staff, while taking account of the cost implications for the rest of the education budget. As I said earlier, the unions that are not taking industrial action are currently consulting their members about the full terms of the revised offer, and it is important that that process be completed. The continued disruption to our children's education is not the way forward. I remain hopeful that the revised offer can lead to a fair and equitable settlement being reached in the near future. I assure the House that I will continue to do everything that is in my power to bring about a resolution to the issue.

In light of the improved offer that was made on 28 September, I call on those who are engaged in industrial action to desist from any activity that places the burden of the disagreement on those children and families that most need help. Go raibh maith agat faoi do cheist.

The education of our children must be paramount, and I implore all those who are involved to do what is needed to prevent further disruption.

Mr B McCrea: On a point of order, Mr Speaker. Is it in order for the Minister to have given an all-

encompassing answer and strayed off the point of the question?

Mr Speaker: Order. I am not in control of how a Minister answers questions. I wish that I were sometimes, but, unfortunately, I am not.

Mrs Long: I thank the Minister for providing such a comprehensive answer to what was a different question about the general progress of the dispute. More specifically, I am concerned about those who need paramedical therapies, which are normally provided through the school. Therefore, will the Minister explain what, if any, liaison there has been between her and the Minister of Health, Social Services and Public Safety or between the respective boards and trusts regarding interim provision of specialist paramedical therapies during the current dispute? Will she advise to whom parents should refer for advice? Currently, when parents approach the trust, school or board, they are referred to someone else in that triangle. It is important that parents know to whom they should speak about the issue.

Ms Ruane: First, the dispute must be resolved, and I thank Naomi Long for her interest in the matter. It has been a difficult time for the parents and the children. We must ensure that our children get the best possible education and that all their needs are attended to.

The boards have asked all schools to carry out a risk assessment for the children who need paramedical therapies, and I am waiting for the details of that. My departmental officials are in consultation with the Department of Health, Social Services and Public Safety. My priority remains the health and safety of the children and resolving the dispute.

Parents who are concerned about the provision of paramedical therapies should contact the schools and the boards.

The Chairperson of the Committee for Education (Mr S Wilson): The Minister has outlined the current position on the dispute, but we are none the wiser about her role. Does the Minister agree that on 19 June, the matter was raised in the Assembly and she promised that she would take immediate action? On 24 September, it was raised again, and she promised then that there would be immediate action.

Last Friday, on the eve of an all-out strike, the Minister took herself off to Drumcondra to talk about promoting oral Irish in English-medium schools, rather than addressing the issue that was most prevalent back here at home, namely those children.

4.15 pm

Since 19 June, Members have been asking the question that Naomi Long has asked again today, which is whether the Department of Education has a contingency plan if the dispute ever ends up in a strike. Although the

youngsters are not likely to find the school doors open tomorrow, all we are told today is that parents should contact the boards or the trusts. Does the Minister really believe that that is how the general public, the parents, the principals and the classroom assistants expect her to deal with what has now become a crisis situation? Thirty special schools will be closed tomorrow, and the most vulnerable youngsters will be left on the street without the kind of backup care that, in some cases, they need for their physical attention, let alone their educational attention.

Ms Ruane: Go raibh maith agat. First, I was in Drumcondra meeting the Minister for Education and Science in the South of Ireland, Mary Hanafin. North/South interventions between Mary Hanafin and me are important, and developing North/South links is a priority for me. I trust — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: One of the joint actions that Mary Hanafin and I are working on is looking at the issue of special needs, and ways in which we can co-operate. We are co-operating substantially on the Middletown centre for autism, which will be a world-class centre of excellence. Therefore, I hope that people will not play politics with this issue. It is important that we continue our North/South links. I pledge to the people of the North of Ireland that I take my North/South statutory duties very seriously.

Mrs Long: Will the Member give way?

Ms Ruane: No, I want to answer the question.

Secondly, the classroom assistants' dispute is 12 years old. When I came into office, I said that the matter must be resolved and that I would intervene to ensure that there would be a fair and equitable settlement. My priority has been, and remains, ensuring that classroom assistants receive promptly the money that they are due, and doing all that I can to prevent anything from adversely disrupting the education of the children affected. I trust that everyone in the House will work with me on that. I have made it clear time and time again that I want an agreement to be reached, and I continue to do everything in my power to ensure that that is the outcome.

Following the previous debate on the dispute, I asked employers and unions to resume their talks, and they did so that same evening. I also asked employers to act as swiftly as possible to get the long-overdue payments into the hands of their staff. Today, I issued a statement calling on all classroom assistants to give full consideration to the offer that has been outlined. This offer is a substantial improvement, and I ask all classroom assistants to read it carefully. I am aware that many classroom assistants from various unions have contacted the boards and their trade unions to get detailed information. I have also called on those who

are engaged in industrial action to desist from any action that places the burden of the disagreement on the children and families who most need help.

This is a 12-year-old dispute. It must be resolved, and I believe that it can be resolved. Three of the four unions are currently consulting. That is part of the process, but we must wait and listen to what the classroom assistants say about the offer.

Mr Storey: Will the Member give way?

Ms Ruane: No, I will not give way.

We also need to put in place health and safety assessments of every child for whom we are responsible, and we are doing that. My officials are in discussions with the Department of Health, Social Services and Public Safety to ensure that health and safety arrangements for our children are in place. Go raibh maith agat.

PRIVATE MEMBERS' BUSINESS

Crisis in Burma

Debate resumed on motion:

That this Assembly views with the deepest concern the unfolding events in Burma; salutes the courage of the Burmese people in challenging the oppressive, corrupt and illegitimate military junta that has ruled Burma for decades and which has brought misery to the country and lives of its people; declares its support for Burma's democratic leaders, in particular the imprisoned Aung San Suu Kyi, leader of the National League for Democracy, and calls for her immediate release; supports the call of the Prime Minister for the most extensive range of sanctions possible against the regime, under the auspices of the United Nations; and further calls on the British, Irish and other European Union governments to take all necessary action to help topple this despicable regime. — [*Mrs Hanna.*]

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. In recognising that sanctions can have a positive influence, one must also be aware that sanctions may hurt the poor — not the regime leaders. One has only to look at the situation in Iraq, where United Nations sanctions have killed between 500,000 and 1 million young people and children due to the lack of medicines. Sanctions must be directed against the military, rather than the people, and they must be imposed by non-violent and non-military interventions. The motion does not state that, and that is why Sinn Féin will abstain.

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

Sinn Féin strongly condemns the oppressive regime of the ruling military junta, which, during its 40-year rule, has driven the Burmese economy into the ground and held its people hostage. The unrelenting violence by the state against its people over the past few weeks has left an unknown number of people dead and injured. That is unacceptable and must be tackled by the international community. Everyone has seen the horrendous scenes from Myanmar on their television screens.

There has been an escalation in mass peaceful protest nationwide since 21 September 2007, and those have been met by force. There is a need for a co-ordinated and prompt international response. We have had our experience of state violence, not least when 14 civilians who were protesting for their civil liberties — and ours — were murdered by the British Army on the streets of Derry.

Buddhist monks, clergy and ordinary people have taken to the streets in protest against the Government, calling for the release of political prisoners and for national reconciliation. The Government of Myanmar and their military, security and police forces have a well-documented record of serious human-rights violations that the United Nations has described as

“widespread and systematic”. Excluding recent arrests and imprisonments, more than 1,160 political prisoners are held in prison, and most senior members of the opposition parties continue to be detained.

State abuses include extrajudicial killings and torture, and the routine suppression of opposition politicians. On the evening of 25 September 2007, the authorities introduced a 60-day curfew between 9.00 pm and 5.00 am. The heavy military presence and the mass arrests have led to an increase in the already intense climate of fear. There are many reports of brutal beatings, killings and disappearances. The Myanmar/Burmese military has raided monasteries and attacked peaceful protesters. The authorities have acknowledged 10 deaths; however, it is feared that the actual number is much higher.

The demonstrations were sparked by rises in fuel prices, and recent research from Save the Children identified that almost 50% of families in rural areas cannot afford a basic healthy diet for their children. However, increases in fuel prices represent only a part of a much bigger problem for local people. Myanmar is a rich country: it is the world's largest exporter of teak, and it has deposits of jade, pearls, rubies, sapphires and off-shore oil and gas. There is an arms embargo in place, but it is being flouted by the Chinese, Indian, Russian, Serbian and Ukraine Governments in particular. Loopholes in the European Union legislation mean that arms, weapons and components manufactured in the European Union are finding their way into the weapons systems that are being sold to the Burmese regime.

Save the Children has been working in Myanmar for 12 years. Its representatives say that the agencies working there face some operational constraints from the regime. The key problems identified by Save the Children are severe underinvestment in basic services and huge poverty. Children in Myanmar are facing some of the worst poverty in Asia. More than 130,000 children under the age of five die every year — one third are underweight, and hunger contributes to half of those deaths. Less than half of the children complete five years of school. Myanmar is one of the few places in the world where children are likely to have worse health and education outcomes than their parents.

Child trafficking — particularly across the eastern border — has also been identified as a big problem, with many children involved in prostitution or child labour. The international community has, in many ways, abandoned Burma. International assistance is less than \$2.50 per person per year, and that is one of the lowest figures in the world. That is why we need an international approach that avoids further bloodshed and which supports and leads to inclusive political dialogue. Regardless of the political outcome, there is

an obligation to address the dire humanitarian situation for children.

The international community needs to increase its assistance to aid agencies and its efforts to improve the human rights situation in Burma. A LeasCheann Comhairle, go raibh maith agat.

Lord Browne: I agree with the declaration of support for democratic forces in Burma as set out in the motion. I am sure that all Members earnestly hope that the oppressive, undemocratic rule of the military junta in Burma will soon be brought to an end.

I also join with other Members in the Chamber in saluting the courage and determination of Aung San Suu Kyi, whose steadfast support for civil and religious liberty has been an uplifting example for freedom-loving people throughout the world.

It is essential that the United Nations should speak with one voice in making clear to the regime that its actions in suppressing legitimate dissent are completely unacceptable to the international community.

However, I have some concerns about the wording of the motion. First, calling for the most extensive range of sanctions possible to be introduced against the regime might well result in great hardship for the ordinary people because the Burmese economy is already in a powerless state and the military junta might be well able to protect itself. It could lead to further political instability, which would further impede the restoration of democracy.

Secondly, I am also concerned about the call for the British, Irish and other EU Governments to take all necessary action to topple the regime, which is a little too broad. As the motion stands, military action by those countries would not necessarily be ruled out, and I am sure that all Members would agree that military action would be misguided and would be contrary to international law. In any case, action taken against the regime should be under the auspices of the United Nations and should not be undertaken by individual Governments, or groupings, acting independently.

I am old enough to remember the campaign against the communist Afghan Government of Najibollah and its Russian backers, which led to the boycott of the Olympic Games in 1980 by the United States and other countries. That campaign was followed by a long period of western military support for the Islamic mujahedin fighters, who eventually achieved power, and as we know, set up what might be described as the wicked Taliban dictatorship. Care must be taken when seeking to undermine one Government and replace it with another, and care should be taken now.

A free and democratic society is a priceless asset; and I am sure that no one would disagree with that or the fact that the Burmese people do not deserve

anything less. It is important that western countries think carefully about the best way to achieve that, rather than precipitating a knee-jerk response. However, there is great merit in the motion in front of the House today, and I support it.

Mr Burnside: I agree with Lord Browne's sentiments. I also express my concern at the wording of the motion, which is open ended and threatening and is not the right language to use to have this dealt with through the United Nations. Topple a military regime and one will not end up with a democratic regime the next morning.

Pressure needs to be brought to bear through the United Nations, especially on the two superpowers; China, which is still not democratic and free, but is a totalitarian, capitalist regime, and the Indian Government, which can also exert great influence. In international affairs, there comes a time when the mood is right for change, and the mood is right in Burma. A devolved Assembly such as ours can only express opinions, but our voice should be added to the United Nations international community action.

4.30 pm

Sanctions should be brought against Burma and consideration given to putting pressure on China over the Olympics, but I would warn that that could be a double-edged sword: one does not know where to start or where to end when taking action and interfering in politics. Every international soccer tournament and athletics event could be non-existent in six months' time if the political structure of all those countries involved were not supported. I am worried about international boycotts.

However, Burma may be a special case. China is suffering as a result of its own international image. Although it was some years ago, the image of the student in Tiananmen Square is still in our minds. The television pictures that we have seen from Burma recently have stirred the same emotions and international outrage. We should, without forcing the Chinese to lose face, put pressure on them. When dealing with the Chinese, it is important that they are not seen to lose face. China, which is slowly evolving, wants and needs the Olympic Games, so it could help to bring about the sort of change that we all want to see in Burma.

We should admire the individual courage of those who go out and stand in front of tanks: they are very brave people. I support the motion, while sounding one note of caution. I feel that the language used at the end of the motion is rather extreme. We should apply international pressure through the United Nations. I support the sentiments of most Members: what is happening in Burma is unacceptable and the military regime must be replaced with a better and fairer form

of Government for the depressed and oppressed people of Burma.

Mr A Maginness: I thank my colleague Mrs Hanna for tabling the motion. She does a great service to the House and to the struggle of the Burmese people for liberation from their military rulers.

I have a couple of points that I hope do not repeat the other Members' contributions. The context in which to place the current situation is in the wake of the 1988 suppression of the Burmese people when they stood up to their military dictatorship. Many people in the West and in other parts of the world regret the fact that more pressure was not applied at that time to those people who have pillaged the country. It is not simply a dictatorship but a kleptocracy, in which the generals and their minions exploit the exchequer and the riches of Burma for their own ends. It is not simply a nasty military regime but a regime whose members are enriching themselves and are totally self-interested.

It is not usual for me to agree with anything that Mr Burnside says, but he has made very pertinent points today about the Chinese. It is very important that pressure be put on China. It is a big international power that is approaching superpower status. It is right and proper that any legitimate pressure should be put on it to intervene peacefully and to use its good offices and its tremendous influence — both political and economic — on that particularly ghastly regime. If any country in the world can do that, it is China. Therefore, we in the West and other countries must exercise legitimate pressure on China. The people who belong to that regime are clearly so self-interested and so self-sustaining when it comes to their military power that it would be very difficult for Western countries to exercise the necessary pressure to change their minds.

I emphasise the point made by Ibrahim Gambari, the special envoy of the United Nations Secretary-General, who said that the purpose of his visit, and the common purpose of us all, must be to achieve dialogue between the legitimate opposition to the regime and the regime itself.

After his meeting with Aung San Suu Kyi, he believed that there was a window of opportunity to create a dialogue between the regime and the opposition, and that it was important to encourage that, in a spirit of national reconciliation. The Assembly must also encourage that. The motion does not, in any way, suggest any form of military intervention. Rather, it suggests that non-military pressure should be applied. The United Nations Charter states that, other than in self-defence, only the Security Council can authorise the use of force. Neither the former nor the latter currently applies.

Unfortunately, the Burmese military regime enjoys the consequences of a culture of impunity, as do other

military regimes and dictatorships that extensively and systematically abuse human rights. Members must help to undermine that culture of impunity by supporting the United Nations and in particular High Commissioner for Human Rights, Louise Arbour. We must send a strong message to those people in the Burmese military regime. Remember Milosevic, Saddam Hussein and Pinochet. Throughout the world, there must no longer be a culture of impunity.

Mr S Wilson: I congratulate the Member for South Belfast Carmel Hanna on securing the debate, which is good for several reasons. Although it is not within the Assembly's remit to do anything, I welcome the happy participation of Sinn Féin, which complained last week about the tabling of motions that do not fall within the Assembly's remit. Secondly, it is incumbent on Members, and a sign of how politics have developed in Northern Ireland, to consider issues that lie further afield, rather than engaging in a form of introspection in which we only considered our own problems.

Before I address the substance of the motion, I wish to mention an earlier Sinn Féin comment about Northern Ireland's part in supporting the Burmese regime. A scurrilous allegation was made in which several Northern Ireland firms were named as — possibly — having supplied parts for planes, which might eventually have found their way into Burma. Firms were named that provide local jobs. Of course, in the past, Sinn Féin had no worries about importing arms from other dictatorial regimes in order to engage in human-rights abuses — so it is a bit rich for Sinn Féin to get weepy now.

On the substance of the motion, the UN's involvement has been mentioned. Even amid the storm of events in Burma, when the UN debated the use of sanctions on 27 September, China and Russia used their vetoes. The UN cannot be relied on too heavily. Sanctions would tend to hurt the people of Burma as much as, or more than, the leaders of the country.

It is significant that the gap created by American-imposed sanctions was quickly filled by Burma's neighbours — the Association of Southeast Asian Nations — which felt that Burma was better in than out, and that it would learn that, by behaving properly, it would experience high economic growth. That did not work.

Of course, attacking the aid budget will hit only the poorest in that society.

There are a number of pressure points that should be examined. Alban Maginness made the point that the people who perpetrate the abuse must know that whatever action is taken will hurt them personally. If there is change in the future, they need to know that there will be nowhere for them to hide. The first point of pressure should be to ensure that the assets of the

leaders of that military junta cannot be hidden and squirrelled abroad, so that when things go pear-shaped and they have to leave, they cannot go and live a life of luxury. They also need to know that once they leave the borders of Burma, they will be hunted down and held responsible for the abuses that they have carried out.

The second point of pressure is China. In dealing with China, we have to be careful. China, of course, has got a vested interest. It is involved in 17 oil and gas projects and a 1,500 mile pipeline to transfer oil. It has military bases on the Indian Ocean. That is all as a result of co-operation with Burma.

There are, however, a couple of pressure points that must be examined regarding China. First of all, the instability in Burma could not be helpful to the Chinese economy. It does not want an unstable neighbour, and the longer it supports the military junta, the more instability there will be. That instability is leading to the manufacture of drugs in Burma, which is already affecting China. Secondly — and this has to be used carefully — China needs international support for its hosting of the Olympics. The issue of the Olympics, if handled properly, could be used to put pressure on one of Burma's biggest backers at present.

Mr G Robinson: In Northern Ireland we are fortunate to live in a democracy with freedom of speech, movement and political expression, which have been so obviously and brutally denied to the people of Burma. We have experienced, what are in comparison, minor troubles. However, in Burma, the world's media are being denied access to the occurring events, telephone links have been deliberately cut and Internet services have been consciously disrupted by a military dictatorship desperate to hide the violent and abusive nature that characterises it. The Burmese Government are not the protector of the Burmese people — they are its enemy.

In the past number of weeks, on our television screens, we have seen pictures smuggled out of this oppressed country — often at great personal risk — that have highlighted the appalling abuse of power by the military regime in Burma.

That so-called Government triggered the present crisis when they doubled fuel prices and raised the compressed gas prices fivefold. That compressed gas is used to fuel the buses that are the main means of transport for the vast majority of Burma's population. Those increases have had a knock-on effect on food prices with devastating consequences for the Burmese people, who struggle to provide basic foods for their families. This is a country that was already afflicted by poverty of the deepest and truest kind.

The Burmese Buddhist monks, who are the religious leaders and spokespeople for the man in the street, came onto the streets in peaceful protest at the devastating consequences that those price rises had on the already

impoverished population. By walking past the home of the opposition leader Aung San Suu Kyi, they made it abundantly clear that regime change and democracy was an essential element of their protest.

The so-called Burmese Government's reaction to that was to use tear gas and baton charges to clear the monks and their fellow protestors off the streets. The fear now is that a repetition of the August 1988 slaughter will occur, or already has. It is essential to acknowledge that a cornerstone of Buddhist teaching is non-violence, and it can therefore be determined that the protests that are taking place are non-violent, as those monks have great influence on and immense respect from the Burmese people.

I wish to stress again that those monks are engaged in peaceful protests, and the brutal suppression of the recent marches in which they were involved has raised not only much anger, but defiance among the Burmese people.

4.45 pm

On 1 October, the BBC website reported that the body of a monk was seen floating in a river. Monasteries have been raided, and some 4,000 monks have been detained and are being sent away in an attempt to quell the marches. One defector from the Burmese army stated:

"I knew the plan to beat and shoot the monks".

If the military dictators will do that to religious leaders, imagine what they will do to the ordinary citizen and to the political opposition.

Aung San Suu Kyi is the political leader of the people of Burma. She won a Nobel Peace Prize for her attempts to bring democracy to Burma. She has spent 11 of the past 18 years under house arrest and has dedicated her life to representing the average Burmese citizen. Her father, also a pro-democracy advocate, was murdered when she was two years old. In August 1988, after the violent oppression of opposition marches, she stated that:

"I could not, as my father's daughter, remain indifferent to all that was going on."

She is a woman of courage and dignity, and she is inspired by the non-violent campaigns of figures such as Martin Luther King and Gandhi. In May 1990, her party, the National League for Democracy, won the general election, but the military regime refused to recognise the result and has dictated in Burma ever since.

The current dictator enjoys a lifestyle of which the people of Burma can only dream. A video of his daughter's 2006 wedding showed a bejewelled and champagne-drenched occasion. Understandably, it caused outrage, because the country that that leader claims to represent is impoverished and desperate for democracy.

The brave monks, citizens and Aung San Suu Kyi and the National League for Democracy seek only one thing: democracy. We all accept that as a normal state of affairs because we live in a democracy. Indeed, some Northern Ireland soldiers in the Second World War made the ultimate sacrifice so that the people of Burma could be freed from oppression and enjoy democratic institutions.

Mr Durkan: The debate has been important for all the reasons that so many Members mentioned. In moving the motion, Carmel Hanna said that the Assembly was being given the opportunity to express its sense of responsibility. That is something that all democrats have felt motivated to do since seeing the pictures from Burma. However, we understand that pictures of other actions have been suppressed from international view.

Carmel Hanna reflected on how her own contact with that country and its ethnic groups had deeply touched and impressed her. She reflected on the misery and the atrocities — including genocide — that people in that country have suffered. She emphasised that, as in South Africa where the regime did terrible things, visitors are conscious that Burma is a beautiful country that has numerous natural resources, but it is an ugly state that has a very corrupt and ruthless regime.

As the first Member to speak to the motion, she was the first to pay tribute to Aung San Suu Kyi, and she quoted her famous statement: “Fear is a habit”. Carmel set out Burma’s historical context, describing how it had been under military control for several decades and how the military rulers moved to annul the results of a democratic election in 1990. Carmel was the first Member to touch on the need to pressurise particular Governments in that area, especially China, Burma’s puppet-master. She also mentioned the Beijing Olympic Games. In moving the motion, Carmel made it clear that sanctions under the auspices of the UN are crucial. With reference to some of the points that other Members raised, the motion must be seen in that context.

Simon Hamilton spoke about the legacy of responsibility and concern that many people here feel about Burma. He mentioned the personal links that many have had through military and other experiences.

He highlighted the work of locally represented charities, including Save the Children. He also identified other dimensions of the Burmese situation, such as the fact that Burma is a major source of illegal drugs. He spoke of the inspirational bravery of the democratic protesters, and asked where so many of them have been taken.

Martina Anderson addressed the issue of the arms trade and the countries and companies that provide weapons to the military junta, either directly or through others, particularly China. She criticised the

motion for what she felt was dangerous language, suggesting that the phrase:

“to take all necessary action to help topple this despicable regime”

was an endorsement of an invasion of Burma on the model of the US and British invasion of Iraq. The motion is consistent with the UN, and the invasion of Iraq was illegal and was not done under the auspices of the UN. Neither Carmel Hanna nor any other SDLP Member would propose violent action. In the past the SDLP has proposed motions using similar language. Many motions in the Assembly have used the terms “taking all necessary means”, and it has never raised such an issue before.

George Savage spoke of how, like many others, he was moved by the brave protests and the repression suffered by the monks. He pointed to the significant restrictions used by the regime to ensure that those inside the country do not report the full story and those outside the country do not hear the full story. Mr Savage asked the poignant question: how many people have to die before the wider world does something? He also welcomed the appointment of the UN special envoy and talked of the need for a genuine process of national reconciliation.

Anna Lo said that common humanity obliges us to provide all possible help to the Burmese people in their fight with the brutal military regime. She also highlighted the significance of China’s role, as well as that of the Taiwanese Government. Another Member touched on the fact that India has time to use its influence.

Jim Shannon used the well known line from Edmund Burke that:

“It is necessary only for the good man to do nothing for evil to triumph.”

He feared that there would be a lack of impact if international action amounted to letters of protest and resolutions for sanctions. He complained that the UN has no real influence and, like others, he stressed that China is the key. He highlighted the impact of the commodity price rises, as well as the economic plight and the malnutrition of the Burmese people and their children.

Paul Maskey warned that sanctions do not always work quickly and must be carefully targeted. Again, he reflected concern that the motion did not specify that sanctions should be non-violent. I hope that I have provided sufficient assurance in that regard. He went on to highlight the extrajudicial killings, the torture and the 60-day 9.00 pm curfew that has been introduced.

Lord Browne expressed support for the democratic forces against the military junta and, along with many others, saluted the courage of Aung San Suu Kyi. He expressed concern that if sanctions were as extensive

as the wording of the motion suggested, that might have an impact on suffering people. Again, I draw Members' attention to the fact that the motion suggests sanctions targeted at the regime, not at Burma or the Burmese people. He said that the West should think carefully and avoid having a knee-jerk response. Given the length of time that the regime has been in power, to take action now is not a knee-jerk response.

David Burnside warned of the possible dangers of using the Beijing Olympics in a careless way. He believed that the circumstances warranted careful use of such pressure on China.

Alban Maginness put the debate in its historic context of a long-standing military plutocracy, and identified the need for legitimate pressure to be put on China. He quoted the UN special envoy, who said that the purpose of his current diplomatic exercise is to achieve dialogue to bring about a true process of national reconciliation.

He underlined that the challenge for all of us is to confront the culture of impunity for systematic human-rights violators, be they in Burma or elsewhere.

Sammy Wilson took exception to some Members' having named local firms as possible sources of weapons. However, I will not dwell on that. He too highlighted China's and Russia's veto of UN resolutions. It is precisely the UN's undemocratic structure, in which superpowers have vetoes, that limits its effectiveness. If people want to call for a more democratic international world order, they must support significant reform of the UN, which would remove those vetoes. All too often, however, people support the vetoes of other superpowers while complaining when China and Russia exercise theirs. Superpowers must earn the privilege to use vetoes.

George Robinson highlighted the fact that the military dictatorship is desperate to hide its tyranny and that Burmese Government are not the protectors of the people, but their enemies. He also referred to the violent response to non-violent, democratic protest.

The regime in Burma is absolutely vile and bestial; people are randomly tortured, and it has the highest number of forcibly conscripted child soldiers in the world. The Government spend more than 40% of their budget on the military and less than 60p per person a year on health and education combined. Since 1996, the regime has destroyed more than 3,000 villages in eastern Burma alone. Members have rightly said that the UN must take stronger action on that issue.

The motion reflects the fact that the UK Prime Minister has said that countries must take strong action and that the only way to do that is through the UN. Many Members have rightly highlighted China's position: however, there is the question of India, the country of Gandhi and Nehru, which has stated that it

cannot intervene, but yet provides military equipment and training. Of course, there is also the issue of EU sanctions that stop a firm investing in a pineapple juice factory but do nothing to interfere in investment in oil, gas and the gems sector, which are the very businesses that prop up the corrupt military rulers.

Question put and agreed to.

Resolved:

That this Assembly views with the deepest concern the unfolding events in Burma; salutes the courage of the Burmese people in challenging the oppressive, corrupt and illegitimate military junta that has ruled Burma for decades and which has brought misery to the country and lives of its people; declares its support for Burma's democratic leaders, in particular the imprisoned Aung San Suu Kyi, leader of the National League for Democracy, and calls for her immediate release; supports the call of the Prime Minister for the most extensive range of sanctions possible against the regime, under the auspices of the United Nations; and further calls on the British, Irish and other European Union governments to take all necessary action to help topple this despicable regime.

Referendum on the New European Union Treaty

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

Mr Easton: I beg to move

That this Assembly calls on the United Kingdom Government to hold a referendum on the new European Union treaty.

Members are familiar with organisations that are relentless and single-minded in the pursuit of their own agenda, even when the beliefs that they promote are held only by a minority of the population. They are also familiar with how powerful political and commercial interest groups have, for half a century, attempted to bring into being a united states of Europe, which would cause each member state to lose its individual identity as it became absorbed into a bureaucratic monolith.

The powerful agenda to subdue individual nations to the will of the European Central Bank has been characterised at every step of the journey by the surrender of the civil and religious rights and liberties that are enjoyed by citizens of the United Kingdom. It has also been characterised by a determined effort by sinister forces to diminish our distinctive British identity.

When the European Economic Community was formed in 1957 with six member states, we were assured that it was a beneficial organisation that was designated to enable European neighbours to tackle mutual social and economic issues. By 1973, when the United Kingdom was absorbed into the EEC without a national referendum, the principle of the primacy of European law over the national law of member states was already clearly established. Even then, it was clear that there would be major winners and major losers. Some countries such as the United Kingdom paid an extreme price for its continued membership, while other countries became major beneficiaries, with massive amounts of financial and other gains flowing their way. One only has to look across the border to see how the Celtic tiger has flourished as a result, while the UK pays the second-largest contribution, worth £12 billion, to the EU, of which, it has been said, it only gets a fraction back.

5.00 pm

In the past 34 years the European Union has grown to include 27 member states. At no stage during those decades of enlargement were the people of the United Kingdom afforded the opportunity to declare their consent, or opposition, in a referendum. Now, countries

like Croatia, Macedonia — and Turkey, with its dubious reputation on human rights and still in military occupation of parts of Cyprus, another EU member state — want to join the European Union. The admission of a country such as Turkey, without a referendum, flies in the face of common sense.

The agenda established with the Treaty of Rome has been vigorously pursued through the Single European Act 1986; the Treaty of Maastricht in 1992; the Treaty of Amsterdam in 1997 and most recently through the Treaty of Nice in 2001. The European express train, with large numbers of net beneficiary countries already on board, came to an abrupt halt when the people of Holland and France halted its progress by voting against further expansion of the European constitution in 2005.

The treaty, to which they declared their opposition in referenda, was developed and proposed by an intergovernmental conference in 2004 so as to create a constitution for Europe and give the European Union all that would flow from that, such as a legal identity, a president, a motto, a flag, an anthem, and all the trappings of constitutional power, with no accountability to the people of any individual member state.

People in the United Kingdom, including the majority of people in Northern Ireland, do not want to lose their distinct British cultural and political identity to a European Union whose powers supersede those of its member states. We want to have a genuine say in the direction of our foreign policy, and we want to retain independent control of the way in which we relate to deprived countries and communities in the Third World.

We are all appalled at the enormous increase in bureaucracy and fraud that characterises many departments and programmes in the European Union. We want to have a say in changing things to suit the people who pay the European piper but never get to choose the tune. We want to be able to control our borders and have the power to impact directly on issues such as immigration, terrorism, asylum and crime.

We do not want an international system of rolling devolution to take us to the point where we surrender power to the people of a hugely expanded European community. We do not want to pay over the odds for every morsel from Europe that might come our way. Can anyone honestly say that EU membership has made a major difference in the lives and life chances of the people of Northern Ireland?

Our farmers get the worst deal in Europe, and at no stage in the whole European journey have we been given the chance to have a democratic referendum. We do not want the United Kingdom Government, acting on our behalf, to move the European process forward without a full and open discussion on the issues involved and without submitting proposed changes to a referendum.

Throughout Tony Blair's administration we became accustomed to spin and the overcoming of reasoned arguments and justice. We became accustomed to Government deceit and unaccountable decision-making that was not in the best interest of our country or the Province. It is my considered view that what we have had to endure in Northern Ireland is indicative of the need to have power in our own hands, as far as possible, to influence our laws, our lives, our future and that of our children. Direct rule Ministers taught us that lesson.

We all understand the need for co-operation in matters of mutual interest. Indeed, we can see many benefits in European co-operation. However, we do not want a treaty that establishes a constitution for Europe that will lead to complete integration into a European super-state without our Government affording us the democratic right to have a referendum on the issue.

As Members of this Assembly, our duty is to defend the rights and freedoms of those who put us here. Gordon Brown is attempting to get the European train rolling again by declaring that if certain red lines are drawn in the amended treaty — that is, if certain subtle, but significant changes in the text are made — he will proceed with submerging British interests into a federal Europe.

It is not for Mr Brown alone to determine what represents an acceptable treaty for the people of the United Kingdom. Mr Brown and his party do not represent the majority of the people in the United Kingdom on this issue. This treaty is not right for the majority of the people of the United Kingdom, and we must be given the opportunity to declare our opposition to it by means of a referendum. It is wrong for the UK to give up 60 national vetoes and agree to an EU foreign minister and a president of Europe. It is wrong to agree to 96% of the original EU constitution. Just like there will never be a united Ireland, there must never be a united states of Europe.

Mr McLaughlin: Thank you very much, a LeasCheann Comhairle.

I support the motion, but possibly for different reasons from those of the proposer. I welcome the debate. *[Interruption.]* Let me assure the Members opposite that this debate will be an all-island one — the people of the South will also have their say in the matter.

We should all be concerned about the issue of the democratic deficit. Already, the Council of Ministers and the European Commission exercise powers and vetoes over the democratic decisions of the European Parliament, and much of the legislation that we pass here originates from them — they initiate the process, and the legislation eventually arrives in legislative Assemblies such as this one. Thus, the democratic deficit is a considerable issue. We must consider the idea of participation in a process that elects MEPs who

then often find themselves following a trail that has been set out by unelected members of the Council of Ministers or European commissioners. That is a serious issue for us all. I very much welcome the debate, and I look forward to the amplification of those important issues.

There is the question of the ability of sovereign Governments in Dublin, London or Paris — let alone a legislative Assembly such as this one — to rein in the bureaucrats in Brussels and Strasbourg. The idea of the new European Union treaty was to set up a superstate. The treaty was rejected in referendums in France and in Holland. Did that deter the Council of Ministers? No, it doctored the text and presented it again. It took out words such as “constitution”, but its intention is still very much the same. That is very important. There are people here who have long experience of the issues of either a lack of democratic accountability or the absence of democracy itself. We must therefore do our utmost and play our full part in bringing to the attention of the populace the implications of this drift towards a centralisation of power in the hands of unelected bureaucrats at the heart of Europe.

That is not a Euro-sceptic approach. *[Laughter.]* It is an approach that ensures that we address the questions. Members can make their own contribution to this debate. However, it is important that they reflect on whether critical engagement with the reality of the European Union is, in fact, protecting democratic rights. Alternatively, we can simply close our eyes; it will still be there, and it will still take more and more powers onto itself. However, we cannot walk away from the European Union, nor will deciding simply to ignore the reality of it enhance or protect democratic rights. Likewise, we cannot adopt the position that no progressive legislation has emerged; such legislation has emerged, and we must acknowledge the positive impact that it has had on society in Ireland. However, the key issue that must be addressed is whether people's democratic rights and judgements are being respected when they cast their votes in European elections. Go raibh maith agat.

Mr Kennedy: It is interesting to follow the comments of the Member for South Antrim Mr McLaughlin. He claimed that he was not being a Euro-sceptic — his speech was a little more to the right than Attila the Hun.

It is deeply disquieting that Ministers want to sign the United Kingdom up to a treaty without first asking the British people their opinion. There is, after all, no pressing reason why a decision has to be made quickly. The debate on a new constitution is already years old and has been the subject of a great deal of spin, fudge and misrepresentation. No change there, then.

The essence of the debate was summed up by Keith Vaz, the Labour MP and former Minister for Europe

— an unlikely person for me to quote. He said on 31 August this year:

“We don’t need a referendum on the reformed treaty because we didn’t have one on the Nice Treaty or on Maastricht. But I think there’s a difference between need and desirability.”

That, in a nutshell, sums up why there should be a national debate, followed by a referendum. It is not because there has to be, in a technical or legal sense, but because, for a variety of reasons, it is desirable that there should be. At the top of that list of reasons must be the Prime Minister’s own professed desire to make matters more transparent than they had been under his predecessor. What has the Prime Minister to fear if he believes that this new treaty represents a good deal for Britain? Surely he is capable of defending such a good deal in any referendum or election campaign. One thing is certain: a national debate followed by a referendum would confer legitimacy on the whole process. However, the evidence of the past week, and, particularly, of this weekend, suggests that the Prime Minister may not want to engage with the people. His rapid U-turn on an election suggests precisely that.

The Foreign Secretary says that the Government have made it clear that because of the real changes in form, substance and style, and the abandonment of the constitution, we have moved away from the previous situation and now have a treaty that is in line with previous treaties. In that approach he misses the point. The French and Dutch voters rejected the previous versions of this treaty — which was then known as the new European constitution — and, in doing so, forced its modification. Without those referendums we would be facing an EU constitution that has taken centralism in Europe one step too far.

Would the Government deny the British people the same rights as French and Dutch citizens? Surely in doing so they are being bad Europeans, since they are arguing for a two-tier Europe. In one of those tiers the people are allowed the right to vote and decide, but in the other they are not. There is, then, a democratic Europe in France and in the Netherlands, and a top-down despotic one in Britain, of all places.

The Prime Minister’s intellectual case against allowing a referendum has now collapsed. If he persists in forcing this issue through without a referendum following “the election that wasn’t” last week, his moral authority will continue to be seriously undermined. How can he pose as a democrat or as someone who wants to listen to the people, and yet deny a referendum on an issue which most disinterested observers say is little different from the original form of the —

Mr Burnside: Does the Member agree that if the United Kingdom Parliament and Government deny the right of the British people to have a referendum here in Northern Ireland, we should organise our own

referendum to express the views of the people of Northern Ireland?

Mr Kennedy: I would have much preferred that a general election campaign had been called at the earliest possible time so that this issue could have been fully debated and amplified among the people and a verdict given, so that we could have taken our place in that national argument as part of the United Kingdom. The situation is little different from the original form of the EU constitution, on which this Government promised a referendum. That is why I support the motion in its undiluted simplicity.

Mr A Maginness: I oppose the motion, but welcome Mr Easton’s refreshing honesty, which, I presume, reflects the DUP’s anti-European Union position, and contrasts with the representations made by Sinn Féin’s representative Mitchel McLaughlin who disingenuously said that he was not a Euro-sceptic. His speech could quite easily have been an editorial from the Daily Mail.

5.15pm

There is absolutely no difference between the type of things that he was saying and the type of things that the ‘Daily Mail’ says, day in and day out. That is scarcely surprising because, at heart, Sinn Féin opposes the European Union. Recently, it changed its mind and has given nominal support to the European Union. However, Sinn Féin has opposed every major change to the European Union. It opposed enlargement and it is opposed to the present proposals.

It is claimed that the proposals create a greater central control in the European Union. Nothing could be further from the truth. The treaty proposes that the EU have a president to serve permanently for two and a half years, instead of chopping and changing every six months. That would provide continuity of service to the European Commission. A high representative of the European Union would speak for the EU on foreign affairs and security policy. That would be a positive step for continuity in the European Commission. The national Parliaments would have an increased role in making European law. I would have thought that Members from both sides of the House would agree that that would be a positive step.

Mr Kennedy: Will the Member give way?

Mr A Maginness: No, I have to get through this and I have only a few minutes left.

I am, perhaps, a sole voice in the Chamber today, apart my good friend, Carmel Hanna.

Mr S Wilson: And the Alliance Party.

Mr A Maginness: And maybe the Alliance Party as well.

The treaty proposes to reduce the size of the European Commission to two thirds of its current membership.

Surely that is something that Members should welcome. The treaty also extends qualified majority voting in a sensible, weighted manner. The proposed system will give the larger countries less voting weight, and that is important because it gives smaller countries, such as Ireland, a greater say in European affairs. A new system of voting is also proposed for the European Council. That is also helpful for allowing smaller countries, such as Ireland, a greater degree of influence over decision-making. Surely that is to be welcomed because people have criticised the European Union over many decades for ignoring the smaller voices in its membership. The expanded EU, with its 27 member states, cannot allow each of those countries a veto because it would grind to halt.

Under the treaty, MEPs would have increased responsibility for determining policy, and would be involved in co-decision-making with the Commission. I would have thought that all Members of the House would want that, if they were in favour of more democracy. The European Parliament and ordinary MEPs would have more power. That is important and it would enhance the role of politicians from here and elsewhere. Another important aspect of the treaty is that it would allow countries of the European Union to come together and engage in areas of enhanced co-operation.

Mr Ford: I shall do my best to annoy Sammy Wilson as much as possible by congratulating Mr Easton on proposing the motion. I welcome the opportunity for the House to debate the motion, which I shall support. I do so almost entirely not for the reasons that were put forward by the three Members who have spoken in favour of it, and with considerable agreement with the points that Alban Maginness made against the motion. Such is the kind of politics that takes place in the Chamber.

Fundamentally, I disagree with the narrow-minded interpretation that has been put forward by Mr Easton in his proposing of the motion. Yet, Mr Easton hit on a key issue if Europe is to make progress. That was highlighted when Danny Kennedy referred to the difference between the need for a referendum and the desirability of a referendum. Those who are involved in European Government at different levels have, largely, envisaged their futures in enhancing co-operation; however, it is clear that there are problems in bringing the citizens of Europe with them. That is why I disagree with Mr Maginness's point in opposing a referendum.

At least we have been spared the "bent banana" debate, but we have been concerned about national self-interest in a nineteenth-century version of sovereignty. Frankly, that is no longer the world in which we live. Eleven or 12 years ago, on a visit to Copenhagen, I met a Danish politician and sat with him on the banks of the Skagerrak

looking across the narrow stretch of water to Sweden. As a boy, he had watched the Soviet Baltic fleet steaming past in a way that directly threatened to the people of Denmark.

In December 2004, I had the pleasure of returning to Copenhagen when the Europe of 15 became the Europe of 25. Three former states of the Soviet Union were among the ten extra nations that joined. That is how much the European project has moved on. We should concentrate on what Europe has done to build a culture of peace and prosperity for its citizens. That is why the European Union is not made up of 6, 9, 10, 12, 15, or even 25 member states; rather it is composed of 27 member states. Other countries wish to join, as huge progress has been made, and working together in Europe has benefited everyone.

However, it is clear that many people have been left behind and have not reaped the benefits. That is why I urge Alban Maginness to take heart and to have confidence that, in a referendum, the case can be argued for the benefits of belonging to the European Union. Many of the points that he highlighted about the new arrangements in the reform treaty are valid. By and large, they are tidying-up exercises, yet there is a need to show that people can be brought along with them.

The hypocrisy of the Conservative Party that refused a referendum on the Maastricht Treaty, which is of great significance, has now been turned on its head into demanding a referendum, but that does not mean that those of us who want the people of Europe to be engaged with Europe and engaged with a cross-European future, should not also support such a call.

I remember the 1975 referendum to which Alex Easton briefly referred, in that it was actually a fundamental debate about whether the United Kingdom should be in or out of Europe. Indeed, that is the argument that Mr Easton advances today. It is not about the treaty — it is about whether we should participate at all. I welcome the opportunity to have a debate about the role of the United Kingdom in general, and Northern Ireland in particular, and the benefits that we will have from the future of Europe. That referendum was called as an opportunity for the Harold Wilson Government to escape difficult decisions, by palming them off on a referendum. It resulted in a convincing and clear decision among the people of the United Kingdom that they wish to remain in Europe. Against expectations, a resounding majority in Northern Ireland also wished to remain in Europe and to play their part in it.

Therefore, let us have the referendum. Let us have an honest, clear and open debate about all the implications, and let us not pretend that it is simply about the fine detail of the treaty, because there is a

strong argument to be made for the United Kingdom being active in Europe. The case, frankly, is whether we will be influential in Europe, or irrelevant in Europe. I want that case to be discussed, and I want the United Kingdom to continue to play its part in that Europe as we move forward. A referendum on the EU treaty is long overdue: bring it on.

Mr McCausland: The European Union treaty is a matter of the utmost importance. Two years ago, a proposed constitution was rejected in France and in the Netherlands. There was also widespread opposition to a proposed constitution in many other countries across Europe. We now look back and realise that there was stalemate on the issue. In June 2007, during a European summit, EU leaders agreed on a detailed mandate to finalise the text of a new treaty.

If one looks at the extent of the opposition and the debate around the EU treaty that has taken place over the past two years, and the nature of the proposals that are currently being pushed forward, one will see that it is a matter of some substance. This is not a minor issue; it is a matter of the utmost importance. That is why we are entitled to have a referendum on the new European Union treaty.

Mr A Maginness: Will the Member give way?

Mr McCausland: No; I will follow the Member's example and not give way. The treaty makes a proposal for an EU foreign minister, dressed up under the name of a high representative. There is also a proposal to extend qualified majority voting, and other proposals are being put forward that would significantly change the nature of Europe. Danny Kennedy said that centralism in Europe has been taken a step too far, but many Members would say that — when it comes to Europe — there have already been many steps too far.

There is a strong and overwhelming case for a referendum. The danger is that the Prime Minister, Gordon Brown, appears to be afraid of a referendum. Last weekend, he ran away from an election, and I was pleased to see that Alex Salmond — in good Scots — described him as a “big feartie from Fife”. The Prime Minister is afraid; he ran away from an election, and he is trying to run away, again, from a referendum on Europe. If he believes that the European Union treaty is a good thing, he will be willing to have a referendum, because he will be sure and certain of the quality of his case and of the strength of his arguments. He will have no fears or doubts; he will go into a referendum with confidence, believing that he will win. However, the Prime Minister realises that if he goes into a referendum, he might well lose.

I believe in co-operation among different nation states, but I do not believe in the ongoing, gradual or incremental integration that is being put forward as the vision for the European Union, and which will

eventually lead to a united states of Europe. I also believe in democracy and that the people should have a right to a say on matters relating to Europe. I do not believe in Gordon Brown, as a dictator, enforcing his decision on the treaty without consulting the people. We were promised a referendum, and we deserve one.

In Great Britain, it is clear that there is growing momentum for a referendum, and there is a cross-party coalition including such Labour MPs as Kate Hoey and Frank Field, which is promoting the case for one. As democrats, we should add our voices to that campaign and send out the loud and clear message to Gordon Brown that the political representatives of the people of Northern Ireland — this part of the United Kingdom — are convinced that there should be a referendum, and that they are joining their voices with those across the rest of the United Kingdom in saying that the referendum must take place.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. I support the motion, which, if passed and implemented, will give the entire Irish nation an opportunity to have a say on their national future by way of a referendum. However, if a referendum is not held, the imposed treaty that embodies the revised EU constitution will cause a great many problems for the people of Ireland.

The new treaty will, first, add to the powers of the Brussels institutions, which already make the majority of our laws while, correspondingly, reducing the powers of national states and their citizens. Secondly, in making those laws, the new treaty will increase the voting weight of the bigger states and reduce that of the smaller states. Thirdly, it will deprive the member states of the right to have a permanent representative on the European Commission — the body that has the monopoly on proposing European laws. Large states, as well as small ones, will lose a permanent commissioner. Fourthly, the new treaty will contain a mechanism to enable majority voting for European law-making to be extended to new policy areas by agreement among Governments, without the need for new treaties or treaty ratification.

5.30 pm

Fifthly, it would make the EU Charter of Fundamental Rights legally binding on member states and their citizens, and that would give the 27 judges of the European Court of Justice in Luxembourg the final decision on the wide range of human rights matters covered by the charter. Their decisions would, therefore, supersede national constitutions, the Supreme Court, and the Court of Human Rights in Strasbourg. It would greatly extend the power of the European Court of Justice. The charter would apply in all areas of EU decision-making, which makes most of our laws, and it would lead to disputes between the EU Court of Justice

in Luxembourg and the Court of Human Rights in Strasbourg, as the former would have superiority in the event of any conflict between the two.

Moreover, the constitution would provide that the exercise of the rights and freedoms recognised by the charter would be limited to meet the objectives of general interest recognised by the EU, which means that the rights set out by the EU Charter of Fundamental Rights would not be fundamental after all, but would be varied in the interest of the smooth running of the market.

Sixthly, and perhaps most important, the treaty would, in effect, create and establish a super-national state for the first time, making the new EU separate from, and superior to, its 27 member states. That would make it like the United States, inasmuch as the United States is separate from, and constitutionally superior to, individual states such as California and New York. It would mean that the citizens of the new EU state would become real and legal citizens of that state, rather than the national, or ordinary, citizens they are at present. It would give the new treaty the character of a constitution, or basic law, and that is a fundamental step that we should not take until the people have had a thorough debate on its full implications, which are deep and wide. I urge that the people are made aware of them.

The revised treaty will contain 90% or more of the constitution that the French and Dutch voters rejected two years ago. In effect, that means that an EU elite could avoid referendums and push through issues that they deem relevant without reference to national Parliaments.

Mr S Wilson: If there is any group of people in the UK who would understand the reason for having this issue debated and resolved, resulting in a referendum being held, it is the people of Northern Ireland, because they know the impact of undemocratic governance and what that looks like.

The Member for North Belfast Alban Maginness said that people have nothing to worry about in the treaty and that it should be welcomed because it gives them greater say. Despite what he said, when the detail is examined, it is quite clear that anyone making such an argument would make Arthur Daley look like an honest car salesman. Pat Doherty has already gone through some of the problems, and do not forget that others who support the treaty said that it is a constitution in all but name. Indeed, some people say that 99% of what was in the old constitutional proposal is contained in this treaty.

Alban Maginness says that we are now going to have a president, who would be in office for two and a half years. That president could have a second term and would not have to be elected; indeed, he or she could be someone who has never stood for election. Yet the

draft treaty is supposed to create a democratic organisation and lead to more democracy in Europe. Alban Maginness says that someone would hold the position, with the fancy name of High Representative of the Union for Foreign Affairs and Security Policy. Effectively, however, that is a European foreign Minister.

There could be a situation in which the UK is taking a national route in foreign affairs but the EU, through that High Representative, is taking another. That is supposed to be a step forward. The European Union will take on the legal personality through which it can have its own treaties and agreements with other nations. Again, those arrangements would diminish the sovereignty of the UK.

There will be an increase in qualified voting in about 70 new areas. Alban Maginness has said that the national Governments would have more of a say in a range of areas. However, more powers in matters such as defence, foreign affairs and migration will be centralised in the European Union.

I do not count the European Commission as a democratic body, but at least each state is entitled to representation on it. However, that will no longer be the case. Nonetheless, Alban Maginness says that we should not worry about that: there will be no need for a referendum because all those changes will make the European Union more democratic. The more that one looks at the terms of the draft treaty, the more it becomes clear that the document is about centralising power and putting it in the hands of those who can subvert the wishes of local people. There seems to be a total contradiction: on the one hand, people in Northern Ireland welcome the fact that there is now a devolved Assembly where decisions can be made locally and in which local people have a input, but at the same time, Europe is moving towards concentrating power more centrally into the hands of people who have not even been elected. That is the reason that there should be a referendum on the draft treaty.

The other Euro fanatic who spoke in the debate disappointed me in the stance that he took. However, he supports our motion so I cannot have a go at him. He believes that people can be persuaded to hand over yet more powers to Brussels. I say to Mr Ford that all the evidence shows that people in the United Kingdom — and all over Europe — are sick and tired of the centralising tendencies. However, at least he is a democrat and wishes to give people the opportunity to have a say about whether they wish to move towards centralisation.

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

Mr S Wilson: The SDLP has been shown to be undemocratic on this occasion.

Mr Savage: I speak as a member of the only mainstream unionist party in the House that has representation in the European Parliament. *[Laughter.]*

I share the concerns of the proposers of the motion that, in the next few weeks and months, a document that is, to all intents and purposes, the rewrapped EU constitution will be approved.

The EU constitution fell because it did not receive the support of either the French or the Dutch, who both rejected it in referendums in 2005. Although the 2001 Labour manifesto promised a referendum in the UK on a new constitution, it was held off in order to allow for what was described as “a period of reflection”. That was time to basically allow the Brussels bureaucrats to think of a new way to achieve their aims.

The period of reflection is now over, and what we have is the EU constitution in all but name. It is now to be called a “reform treaty”. Surely the Brussels bureaucrats could have come up with a better name than that.

I fear that we are being sold a pup. Many of the original elements of the EU constitution are to be found in this wonderful new reform treaty. There will be a full-time president of the European Council, who will sit for a 30-month term; an EU foreign minister; fewer European Commission members; and a change in national-voting weightings to reflect population levels.

New treaty proposals are being drafted during the German presidency, which is keen to include a shift to qualified-majority voting in an extra 51 areas of EU policy. Germany also wishes to make the Charter of Fundamental Rights of the European Union — a declaration made in 2000 — legally binding.

Members acknowledge that Europe is a difficult issue. The Labour Party is scared to lose a referendum, and the Conservative Party has split asunder on the issue. The bottom line is that we must not allow Europe to impose a pseudo-constitution on us — a document that, to all intents and purposes, is the same as the one that was rejected two years ago. The only difference is in the repackaging. Contrary to statements from Brussels bureaucrats, that pseudo-constitution would erode national sovereignty and damage Britain's global position. As a British citizen, and an elected representative, I will not vote to allow that to happen.

Members acknowledge Northern Ireland's unique position as the only part of the UK to have a land border with another EU member state, and, because of that, people in Northern Ireland are well aware and astute when it comes to European issues. They want to have their say — and they deserve that.

As a member of the European unionist party, I know that our party provides the people of Northern Ireland with that mainstream unionist voice that they want to

hear — and that must be heard — in the corridors of power in Brussels. I support the motion.

Mrs Hanna: I welcome the debate, although it will come as no surprise that, at this time, I do not support the proposal for a referendum. It is premature; we do not have the full picture. We have some substance, but we must still fill in the blanks. At this stage, we cannot make an informed decision.

I am not a Euro-fanatic, but I believe in the European ideal. I am not sure if Mr Ford — who is not in the Chamber — is aware that Sir Menzies Campbell said that the reforms to the new European Union treaty were sufficiently different as to not require a plebiscite. That is for David's information.

Since the SDLP was founded in 1970, it has supported the European ideal, and every Member of the Assembly must be aware of the immense benefits to the people of Northern Ireland — many hundreds of millions of pounds from structural funds, cohesion funds, special support programmes and other EU contributions to the International Fund for Ireland. Given those benefits, the rest of the EU member states — if they have ever thought about it — must be somewhat amazed that all three Northern Ireland MEPs are negative on the idea of Europe.

I am old enough to remember when our esteemed First Minister ran on the platform that the whole idea of Europe and its union was a devilish Roman plot. Sinn Féin has called for a Europe of equals; however, since 1972, in the Republic, Sinn Féin has opposed every referendum on Europe. Its inconsistency lies in the fact that, although it wants European institutions to intervene, it simultaneously denies them the authority to do so because it knows that health and education matters, and so on, are the preserve of the sovereign states.

These are institutional changes to the constitution, and they still require considerable discussion, which is why I welcome today's debate. People must have a better understanding of those matters in order to allay fears — and they do seem to be fears — of the planned reforms.

5.45 pm

We want a constitution that is effective, transparent and accountable, and, of course, we must look after our own interests in Northern Ireland. However, it is important to think of it in a much wider context, owing to the involvement and needs of less-well-off countries. As David Ford has said, it is a culture of peace as well as prosperity — that is important to remember.

If there were a referendum, would a positive outcome really make any difference? Would the DUP continue to be instinctively and reflexively anti-European anyway, and would Sinn Féin continue to be in the same anti-European camp?

Mr Spratt: Whether we are pro-Europe or anti-Europe in our politics, when something is brought forward that has a massive constitutional impact on the United Kingdom, it is only right that the people should decide. In this case, the EU treaty is quite clearly, if progressed, going to fundamentally change the European Union and Britain's place in it.

The packaging of this latest European treaty is misleading to the country. It is not a treaty; it is a constitution in all but name. Furthermore, it is a constitution that has already been rejected. The bureaucrats in Brussels want to fool us into believing that it is non-threatening and based on slight technicalities that will have little impact on the sovereignty of our own Government.

Mr Brown says that there will not be a referendum, because the constitution does not fundamentally change the relationship between the EU and the UK. Mr Brown is fooling no one, especially not the British people. There is near unanimity across Europe that the new EU treaty is fundamentally the substance of the EU constitution repackaged. The Prime Minister of the Republic of Ireland, Bertie Ahern, says that 90% of that constitution is still there; I do not always agree with the man, but on this occasion, it is hard to differ.

When we examine what is in that 90% that is recycled from the constitution, we see dangers that must be repelled, and which the people of the UK must be given a say on. Paragraphs 1, 4 and 18 of the mandate for the current intergovernmental conference bring back, unless stated, the whole of the EU constitution. For example, paragraph 18 tells us that parts of the old EU constitution:

"will be inserted into the Treaty [regarding such areas as] security and justice, ... the improvements to the governance of the euro, ... specific provisions such as public services, space, energy, civil protection".

The list goes on.

Further provisions, such as that for a new EU president, would allow that individual to set the EU's agenda. There would also be an EU foreign minister. Such provisions would allow the EU to sign treaties in its own right, and our sovereignty in foreign policy would be further eroded. The jurisdiction of the European Court of Justice would be widened. Those proposals are dangerous to our sovereignty. The effects might not be immediate, but they would be far-reaching in the future.

The proposals will not stop here; they will, I am sure, evolve into a broader agenda whereby the lines across Europe are further blurred and our powers in home affairs on issues such as asylum, immigration and many other key policy areas are diminished. We totally reject anything that allows that, and we vehemently oppose anything that threatens our vetoes on EU

affairs, which this treaty does. In my opinion, we should be looking at ways to pull back from involvement with the EU, rather than bolstering our links.

The current British Government lay much weight on the supposed opt-outs that they have been assured of by Brussels. The vain attempts by the Foreign and Commonwealth Office to dispel so-called myths fool no one. The assurances received from Brussels in the past have proved to be worthless. Surely we should learn from the mistakes of the past.

A recent 'Daily Telegraph' poll shows that two thirds of voters want a referendum on the EU treaty. In the past few days, we have seen that Gordon Brown is not keen to go to the polls. However, on the issue of the treaty, the British people must decide.

What is there to fear, Mr Brown? That the vote will be against the treaty? Let the people speak. I support the motion.

Mr Shannon: I, too, support the motion.

Thomas Jefferson once said:

"Information is the currency of democracy."

There can be no democracy if people do not know what is happening, and they cannot know what is happening when statements that cloud the facts are issued and distract from the real topic. The topic, in this instance, is that the British Government, through Gordon Brown, are trying to induct the United Kingdom, through the back door, into a united states of Europe. That information must be recognised and processed. People must be given a chance to exercise their democratic right to have a say in something that will affect their national identity.

As many of my colleagues have said, we, in Northern Ireland, are no strangers to strong-arm tactics, to the overriding of fairness and democracy and to having little say in the decisions made for our country. Direct rule has taught us much, and we are, therefore, in a strong position to say to the Government on the mainland that to be dictated to by an overseer far removed from the day-to-day life of the nation, can never be a good thing.

Whether Gordon Brown admits it or not, it is not difficult to see what the treaty means for the UK. It means that our social policy will be dictated to us, and our Health Service inundated with Europeans who feel like using our superior NHS. Since practically every case in the European Court of Human Rights is bogged down in litigation and costs thousands and thousands of pounds, those who threaten legal action will always be shunted to the top of the queue to save the hassle.

What of the embassies? The EU will have a 5,500 strong diplomatic service and maintain EU embassies all over the world. What will happen to our embassies and consulates?

The City of London could lose the freedom that has turned it into a multi-trillion pound hub of world finance. The increase in EU influence will jeopardise UK independence with respect to the police, justice, energy, transport, employment policy and financial regulation. Those are vital areas that affect the lives of all of us every day. We could even find Brussels dictating energy prices and quite possibly casting an envious eye on our North Sea oilfields.

It goes further than that. The EU will also have the right to regulate wage caps and transfer caps for soccer clubs, with the European Commission taking over as ruler of the game right across Europe. With respect to justice, the proposed treaty means more rights for criminals, making it harder to fight crime. EU judges could stop the Secretary of State for Justice from recommending longer sentences for horrific crimes, or make it impossible for him to recommend that serial killers should not be released from jail.

The implications of the treaty go on and on. Police will have the right to enter your home, even if they are from outside the United Kingdom. We have heard much talk about the EU army, and we all know the stories about it. Is it true? Do people feel that it is right? Is it worth asking whether we would prefer Britain to be defended by its world-class armed forces, or by those of some of the other EU states? I leave Members to decide for themselves.

The EU Commissioner for External Relations will be given a lovely new wordy title and be known as the High Representative of the Union for Foreign Affairs and Security Policy. He will represent our country at the UN and elsewhere.

Those prospects are horrendous, and many of us have concerns about them. The irony of Gordon Brown taking the strong line against the Burmese junta for not listening to the wishes of the people is paradoxical considering the Labour Party's promise of a referendum on the EU constitution.

Members have probably seen the results of the YouGov poll, which showed a large majority of those asked about the European Union reform treaty to be opposed to it. Two national newspapers, 'The Sun' and 'The Daily Telegraph', represent opposite ends of the journalistic spectrum with regard to the type of readers that they appeal to, but 100,000 readers of 'The Sun' objected to the treaty and wanted to be able to vote on it in the referendum, and 100,000 readers of 'The Daily Telegraph' also wanted to have a referendum on it. The two ends of the spectrum were agreed on the subject.

I am very concerned about how the treaty will affect agriculture and fishing. I represent a rural area, and the more power the EU has, the more worried I become.

Gordon Brown must not be allowed to pull the wool over our eyes in this case. We in Northern Ireland must

take a firm stand and settle for nothing less than what is our right — to have our say.

I have no desire to become part of a second-rate, characterless, spineless, united states of Europe. I am British, and proud to be so, despite our faults and failings. I will not stand back and allow Gordon Brown to accomplish the unification of Europe by the back door. I support the motion.

Mr Burnside: In a debate on European unity, in order to find out who sold the pup, it is worth examining the language and presentation of the Euro-fanatics and that of Euro-sceptics since we joined the Common Market. The pup was first sold when membership of the Common Market was described as membership of an area for free trade in goods and services. At that time, it was not even concerned with labour and people, but then slowly developed.

Following the establishment of the self-perpetuating bureaucracy called the European Commission, it gained power and interbred. The Commission wants to have more central control, and the one thing in Europe that has stopped — and will continue to stop — the new constitution has been the consultation by national Parliaments of their people.

The con job has been carried out by the Euro-fanatics, starting with Edward Heath and his supporters, and including David Ford and the Alliance Party. The Euro-fanatics said that we would gain a free-trade area. The European Union has grown and gained powers including that of intervention.

In the United Kingdom, and, I hope, in many other countries throughout the European Union, we now have the opportunity to take a decision and say enough is enough. We do not want centralisation, an increased bureaucracy, or a foreign minister. The honourable objectives represented by David Ford that arose post war, and the resolving of the conflict between east and west, were not dependent on the creation of a European Union.

It was the strong and powerful countries such as the United States and the United Kingdom, who stood up to communist dictatorships, and the inherent weaknesses of the economic dictatorship of Eastern Europe that caused those systems to collapse. They collapsed because those of us in the west who believed in freedom and democracy stood up against them.

We must stop this centralising bureaucracy, which can only take power away from the people in Northern Ireland, and throughout the United Kingdom. Let us consult the people. At least the leader of the Alliance Party says let the people decide, unlike the SDLP, who are the real Euro-fanatics in Northern Ireland. The constitution is unnecessary.

I am optimistic about the association of states in Europe, because of the increase in membership since 1969. Those countries that are coming into the European Union do not want centralised power and control. There is a blocking factor by virtue of the increased membership in the European Union — the people we must stop are the Euro-fanatics in the Commission, the full-time directorates, and the full-time politicians who would like to turn what is not a Parliament into a Parliament. I do not know whether I am member of the European unionist party or not — that was news to me this afternoon, but it seems to be an interesting new initiative.

The European Parliament is not and should not be a parliament that has sovereign power over the member states of Europe. It should be a consultative forum that can be used on behalf of the member states, to exert pressure whether in the case of the reform of the common agricultural policy, or at whatever stage the social and regional grants are at within the European Union. That is how we should use it — as a lobbying platform for our elected representatives to try to get better executive action through the Commission and the Council of Ministers.

I feel strongly that it is time for people to control the professional politicians and the Euro-fanatics, and to tell them that enough is enough, and that they do not want the new constitution. If there is a referendum in the United Kingdom, Scandinavia, France, and perhaps Germany, a massive proportion of people will vote to say that they do not want or need a constitution. We are not a one-nation state; we will remain as individual nation states, as when we fought against the rise of communism and dictatorship from the East. If that happened again, I hope that Europe would operate together in defence of freedom and democracy within the European Union. I support the motion, and the resulting alliance between the DUP and Sinn Féin.

I do not support many such alliances. However, the people must decide. If they are given the choice, they will make the right decision.

6.00 pm

Mr Deputy Speaker: It will be clear to Members that the business on the Order Paper will not be completed by 6.00 pm. In accordance with Standing Order 10(3), I will allow business to continue until it is completed.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Paisley Jnr): I have listened with interest to the views of the House. Having heard Members' concerns and examined the draft provisions, it is clear that the new draft European reform treaty will give increased powers to Brussels. It must be asked whether the citizens of Northern Ireland will benefit from such a transfer of power or whether

their interests are better served by the status quo. Members on all sides of the House will have noticed that several speakers highlighted that the draft treaty is a constitution reform Bill in all but name. The European Scrutiny Committee of the House of Commons, which, I understand, will report soon, has indicated that the draft treaty is equivalent in substance and effect to the European draft constitution.

Many Members would be advised to take home a copy of the draft constitution and to compare it with the new text, which is now available on the Internet, and judge for themselves whether its 440 clauses differ at all from those of the draft treaty. They will, therefore, be able to draw their own conclusions on the similarity of those documents.

The Executive considered a paper on the draft European Union reform treaty on 27 September 2007. It is important to state that the Executive unanimously agreed that there should be a referendum. They have mandated the junior Ministers to negotiate to that end on their behalf. On 2 October 2007, I represented the Executive at a meeting of the Joint Ministerial Committee on Europe in London. In attendance were, amongst others, the Foreign Secretary, David Miliband — who chaired the meeting — the Attorney General, Baroness Scotland QC, and the Scottish Parliament's Minister for Europe and External Affairs, Linda Fabiani. I took the opportunity to strongly press for a referendum and also to put on record my displeasure that the Prime Minister, without first consulting the people of Northern Ireland or the regions, has stated that there would be no referendum.

In concluding that there should be a referendum, the Executive said that there must be no dilution of the principles and provisions that relate to subsidiarity or proportionality, of the recognition of regional and local self-government within member states, or of the recognition of cultural and linguistic diversity that is enjoyed by many throughout the European Union.

Ratification of the draft treaty is a matter for each member state's Government according to its constitutional rules. Member states may choose to ratify through parliamentary procedure and/or a referendum. The UK Government has stated their position on ratification, which is that a referendum is not necessary because the draft reform treaty is an amending one. The Administrations in both Scotland and Wales deferred a decision on whether to lobby for a referendum until after the text of final treaty is known. That text is now available. I am sure that they will soon make their positions clear.

Carmel Hanna said that it would be premature to have a vote. As the text of the draft treaty is now available, the point has been reached where Members can study it and make their own conclusions on whether a

referendum is necessary. As I have said, if one compares the 440 clauses of the draft constitution with the 440 clauses of the draft treaty, one will see little difference between the two documents.

The Government in the Republic of Ireland have indicated that a referendum will be held there, most probably in the summer of 2008. Denmark is also planning a plebiscite, and referendums are possible in the Czech Republic, Poland, Portugal, and the Netherlands. The Labour Party promised a referendum on the draft treaty for the establishment for a European constitution in its manifesto for the 2005 general election. The pressure on Gordon Brown to hold a referendum on the draft reform treaty is steadily increasing.

Members of his parliamentary party — as well as of the Conservative Party and the Liberal Democrats — are clamouring for a vote on the issue. At last week's Conservative Party conference in Blackpool, few will have missed the shadow Foreign Secretary, William Hague, promise a change in the law. He wants to amend the European Communities Act 1972 and require future Governments to hold referendums on future transfers of powers to Brussels.

There is a legal position for holding referendums in Northern Ireland. It is important to put that fact on record, given what Mr Burnside said in one of his interventions. I am sorry that he is not in the Chamber to hear what I am about to say. As a result of the Northern Ireland Act 1998, and the Political Parties, Elections and Referendums Act 2000, both holding referendums and the proposed reform treaty are excepted matters. No Department in Northern Ireland has the power to organise or fund such a referendum. That could only happen after primary legislation were laid at Westminster.

I note that Mr Burnside, during Danny Kennedy's speech, said that he would like a referendum to be held in Northern Ireland alone. The new "ourselves alone" position that has been adopted would fundamentally weaken our position for holding a UK-wide referendum. That is an important point of distinction. The people of Northern Ireland would be sold a real pup were a referendum held here. It would be the biggest con job of all, because we know the sort of political capital that many would make out of it. I hope that Mr Burnside will recant that position when he has had time to reflect on his heat-of-the-moment outburst in the Chamber.

Whatever views individuals and parties in the House may hold on the European Union, and the parties that are represented on the Executive hold a wide spectrum of views, the European Union affects us all. It is important to note that the Executive have expressly stated that they are not taking a joint position on the fundamental principles contained in the treaty but are saying that there should be a referendum. Changes in the

way in which the European Union is run, and in its powers, procedures and its administration, matter to us all.

Approximately two thirds of the legislative and administrative actions in the region originate from decisions made in Brussels. Europe is integral to the policy-making and legislative process — it is not an add-on. Any Member who represents a rural constituency will know that European issues are not add-ons but are an integral part of much of the actions and activities in which the farming community is involved.

We are responsible for implementing the legislation that will affect the everyday lives of people in Northern Ireland and across the European Union. In administering those responsibilities, we become an essential step in the process of implementing the European Union's decisions. The way in which decisions are taken on such matters, and our opportunities for influencing those decisions, are of essential interest to us all.

Europe, and how it equips itself to respond to future challenges, is not of abstract concern to us; rather, it is of fundamental concern to us. Hence, there should be a referendum on the issue. In my view, the draft EU reform treaty is significant. We cannot pretend that it is not as far-reaching as its predecessor, the draft constitutional treaty of the EU, as some have claimed. That would be a deliberate misrepresentation of what is in the draft EU reform treaty. The Amato Group of high-level politicians, led by the former Italian Prime Minister Giuliano Amato, confirms that the draft EU reform treaty takes over all of the innovations contained in the draft constitutional treaty of the EU.

If it looks like a duck, if it walks like a duck and if it talks like a duck, it is fair to conclude that it is duck. The draft EU reform treaty speaks for itself — or quacks for itself — in that regard. The draft treaty, if ratified, will streamline voting in the European Council using qualified majorities rather than unanimity. All amending treaties — the Single European Act of 1987, and subsequently, Maastricht, Amsterdam and Nice — have extended qualified majority voting. The draft EU reform treaty will extend majority voting under 50 articles and require codecision with the European Parliament under 39 articles. About 80% of EU legislation is already codecided with the Parliament. In the most sensitive areas of justice, home affairs and social security, the United Kingdom has the right to insist on unanimity or not to participate.

The extension does not apply to us in other areas; for example, as regards rules about the Eurozone. Benefits to us, such as the lifting of the beef ban, were secured through qualified majority voting, when they would almost certainly have been blocked through unanimity voting. Therefore, the so-called "red lines", which Alex Easton mentioned, are not as secure as some would try to portray them.

Mr Maginness talked about bringing Europe closer to its citizens. Indeed, the recognition of the need for reform coincided with a new awareness that the European Union has become remote from its own citizens. Many people think that it adds an unnecessary layer of governance and also restricts the freedom of action of national and regional Governments. Of course, one way to redress the balance is to give the citizens a vote on the reform treaty, and Mr Maginness himself posed the strongest argument for that. If he is so convinced by his argument, he would support putting the question to the people and letting them have a say on this important matter.

A 'Financial Times'/Harris outline poll conducted in June of this year found that the majority — around two-thirds or more — of Spaniards, Germans, Britons, Italians and the French believed that the revised treaty was important enough to warrant a vote. The people of the United Kingdom are entitled to have a vote on that basis, too. We need a debate with our citizens on how to maximise the benefits that we derive from our membership. To a large degree, that debate was started by OFMDFM when it brought Mr Barroso to Northern Ireland.

EU legislation, EU funds, and the internal market have had a huge impact on the economic, social and environmental fabric of this region. Indeed, many thousands of community-based social-inclusion projects have been assisted through Peace moneys, which the Member for South Belfast Carmel Hanna rightly pointed out. Indeed, our farmers have received around £1.6 billion in direct support.

However, while many benefits have come from Europe, those funds should not be portrayed as perks or privileges; they are our rights. We are entitled to them, just as we are entitled to our right for a referendum. It is vitally important that the people of Northern Ireland get the opportunity to have their say on this important matter.

In conclusion, the Executive want to ensure that Northern Ireland citizens have their say. They should not be robbed of their right to vote. If we call for a referendum, we have a responsibility to lay the facts before the people. The issues are complex, but Northern Ireland has good reason to be interested in them. As elected representatives, we should not shirk our collective responsibility to explain the treaty to our electorate, and the reasons why we are for or against it. We should seek to engage in a transparent and well-informed debate. We must explain the context of the treaty to the people, focusing especially on how it will impact on their lives, so that our voice will be heard and we can have a greater say in how Europe is shaped in the future.

Lord Morrow: The debate has been useful and interesting, and many useful and interesting comments

have been made. A great constitutionalist once said the referendum is the "people's veto", and that:

"The nation is sovereign and may well decree that the constitution shall not be changed without the direct sanction of the nation."

If that is one reason that we should have a referendum, then there is another good reason why we should have one: the Government promised in their 2005 manifesto that there would be one. However, it would not be the first promise that this Government have broken, and I suspect that it will not be the last.

I was very interested to hear what Minister Paisley had to say, and I am sure that Mr Alban Maginness cringed when he heard him say that the Executive were united in deciding that there should be a referendum. I am sure that he is listening to every word that we are saying now. The Executive were united on that decision, so the SDLP is committed to it. Mr Maginness and Carmel Hanna may not be, but at least the SDLP is.

So, Mr Maginness, you are a lonely voice, if not a lone voice. Your party is now up for a referendum, and we welcome it on board.

6.15 pm

I was a bit concerned by Mr Burnside's intervention, although his speech was infinitely better than Mr Maginness's. He said that Northern Ireland should consider having a referendum on our own. No, thank you. We are not in Europe because we are Northern Ireland; we are in Europe because we are a part of the United Kingdom.

Mr Burnside: I thank the Member for allowing me to make a point of clarification. A referendum is not mandatory under the British Constitution. If the United Kingdom Government and Parliament deny the people of Northern Ireland the right to express their view, I would be interested to know the opinion of the people of Northern Ireland in that process. That is my understanding of the British Constitution. I would want our national Parliament and Government to hold a referendum first, but if they did not, I do not see why we should not have a local referendum that expresses an opinion for the Government to take account of.

Lord Morrow: I will take that as a climbdown. However, the Member is acutely aware that there is no such thing as a British Constitution.

Mr Burnside: There is.

Lord Morrow: I beg to differ. The Member and I will have to differ, as we do on many things.

I must take issue again with Mr Maginness. He was so steadfast in his position, and although what he said was not convincing, he tried to convince us. The challenge for the likes of Mr Maginness is simply this:

why does he fear a referendum? Is he afraid of the result?

Mr Maginness has every right to be afraid of the result, because a recent study found that, in the rest of the United Kingdom, 85% of Conservative Party voters wanted a referendum and 55% of Labour supporters wanted one. I see that Mr Ford has flown the nest. I wish he had stayed, because he is another fanatical European. A total of 59% of Liberal Democrats — a majority of Mr Ford's sister party — wanted a referendum.

Mr A Maginness: Will the Member give way?

Lord Morrow: Since I have named the Member, I will give way.

Mr A Maginness: First, I want to emphasise that the SDLP has never been against a referendum in principle. Secondly — and this was reflected in both SDLP contributions — because the treaty has not been completed as yet, and despite what junior Minister Ian Paisley Jnr has said, it is premature to make a decision. On the substance of what we have seen, and in respect of the document that Mr Paisley Jnr is holding in his hand, we are talking about institutional changes, not constitutional changes. Therefore, the argument that constitutional changes demand referendums does not hold, because we are talking about institutional changes.

Lord Morrow: Only Mr Maginness could explain that. His task is now in front of him: does he support his Minister in calling for a referendum, or does he not? We are all confused. As Mr Maginness sat down, I saw the forlorn looks on the faces of everyone in the House. He will have to sort that out in the not-too-distant future, but his intervention has not clarified the issue at all, because he has made it distinctly clear that he is not in favour of a referendum. I listened to what he said — that his was a lone voice. I did not understand the implication of that at the time, but I understand it now, because it seems that his is a lone voice in the SDLP too. That is the Member's problem, and he will have to square that.

Following World War II, there was no stronger symbol of Britain's central role in shaping the architecture of the world than its place as one of only five permanent members of the United Nations Security Council. That position promoted Britain substantially, and permitted it to form part of a major influence on a global platform. That strength would be greatly jeopardised, however, if the Minister for Africa, Asia and the UN, Lord Malloch Brown, a former UN deputy secretary general, gets his wish to relinquish Britain's seat in favour of representation by the European Union.

The EU constitutional treaty proposes to have its own foreign minister, to be known as a high representative, who will act on the world stage on behalf of all of the 27 member states, as a whole. That will mean that

more power and control is exerted from the EU's central headquarters over its 480 million citizens.

I cannot understand for the life of me why those who are opposed to a referendum would want the centralisation of control. I am absolutely delighted that the House, with one or two exceptions, has practically united in the view that there should be a referendum. I am delighted that Mr Ford is back in the House, and even he accepts that there should be a referendum, although for different reasons from those of us on this side of the House.

Why should there not be a referendum? The treaty is everything. It is a constitution, and let no-one say that it is not a constitution but only a bit of tweaking here and there. No less a person than Bertie Ahern has said that 90% of the old treaty has been retained. I suspect that Mr Maginness, his party and others opposite would listen more readily to him than to some of the Members in the Chamber.

The centralisation that is proposed by the treaty is a dominant force that will pull away from the democracy and democratic rights that are at the heart of the United Kingdom. Despite that, people in the Assembly have claimed today that that would be legitimate. I am delighted that the Executive are united on the issue and said that they feel that it would be unacceptable for there not to be a referendum. I am also delighted that the House has delivered a loud and clear message that a referendum is a must.

I am not talking about an all-island referendum, but a referendum for the United Kingdom, of which Northern Ireland is an integral part. Therefore, the Assembly must speak with one voice, without any suggestion that there should be separate referendums for Northern Ireland and the Irish Republic to find out what the whole island wants. The Irish Republic must do what it feels is necessary, and the Assembly does not say what the Republic should, or should not, do. However, as part of the United Kingdom, we want a referendum for the United Kingdom so that we can speak as one voice and one people. We are confident that that voice will say "no" to the new treaty and "no" to the new constitution. Anyone who advocates otherwise should be man enough to accept what the people decide.

Question put and agreed to.

Resolved:

That this Assembly calls on the United Kingdom Government to hold a referendum on the new European Union treaty.

Adjourned at 6.24 pm.

NORTHERN IRELAND ASSEMBLY

Tuesday 9 October 2007

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr Elliott: On a point of order, Mr Deputy Speaker. In a reply to a question of mine yesterday, the First Minister gave what I would term a party political answer. Is it normal for a Minister to give a party political answer?

Mr Deputy Speaker: That is not a point of order. It is up to the Minister to decide how he answers questions.

Mr K Robinson: On a point of order, Mr Deputy Speaker. I do not know whether other Members experienced this yesterday, but I had great difficulty with the acoustics in the Chamber. I notice already today with your good self, whose voice usually projects well, that there is an echo around the Chamber. Even during ministerial speeches yesterday, we could not pick up all the words. Is it possible to have the sound adjusted or to have the problem looked at?

Mr Deputy Speaker: Officials monitor the sound levels in the Chamber continuously. Members should ensure that they talk clearly into the microphones. I had difficulty hearing what you were saying, Mr Robinson. Officials are working on the system to try to get the sound right. Quite often, Members hold files or papers over their microphones, which cuts out the sound, so I ask Members to bear that in mind when they are speaking.

MINISTERIAL STATEMENT

Northern Ireland Strategy for Sport and Physical Recreation 2007-2017

Mr Deputy Speaker: I have received notice from the Minister of Culture, Arts and Leisure that he wishes to make a statement on the Northern Ireland strategy for sport and physical recreation 2007-2017.

The Minister of Culture, Arts and Leisure (Mr Poots): Thank you, Mr Deputy Speaker. I shall do my best to help you to hear me today. I had trouble hearing the questioners yesterday, and I had to listen intently to make out what they were saying.

I welcome the opportunity to make a statement on the future of sport in Northern Ireland. It is important that the Assembly should have an early opportunity to engage on sport.

Northern Ireland has a rich sporting heritage. It has produced an impressive array of sportsmen and sportswomen of national and world renown. Many of us will have fond memories of great achievers who have become household names both locally and well beyond — Mary Peters, Pat Jennings, George Best, Joey Dunlop, Barry McGuigan, Alex Higgins, Mike Gibson, David Humphreys and Peter Canavan, to name a few. Their great tradition has been maintained in more recent times by stars such as David Healy, Andrew Trimble, Madeline Perry, Janet Gray, Jenna McCorkell, Rory McIlroy and Richard Chambers.

As well as celebrating outstanding individuals, we have celebrated the great team triumphs of Northern Ireland squads. All of us have been delighted by the endeavours of the Northern Ireland football team of late in its quest for qualification for the European Football Championship.

Many have paid tribute to Ulster's success in all-Ireland Gaelic games in the past few years, and the recent triumphs of the Ulster rugby team have been widely celebrated in Northern Ireland. Equally, the great performance of the Irish team in the ICC Cricket World Cup in 2007 is fresh in our minds. Northern Ireland is also savouring the unique feat of the Ulster ladies hockey team in winning the inter-provincial championships this year.

Furthermore, Northern Ireland has gradually established itself on the national and international stage as a venue for major sporting events. We have hosted the IAAF World Cross Country Championships; the World Amateur Boxing Championships; the UEFA European Under-19 Championships; the Special Olympics Ireland Games; and, just lately, the IRB Under-19 World Championships; the Waterways Ireland World Water Ski Championships; and the Walker Cup.

Northern Ireland is also part of the itinerary for the 2007 International World Rally Championships, starting in November — one of the most demanding and challenging motor sport competitions in the world. Moreover, in the past few months, Belfast has been awarded the right to stage the World Police and Fire Games in 2013. All of those come on top of such well established international events as the North West 200 and the Milk Cup.

The rich sporting heritage that embraces all sections of our community underlines the value of sport to the people of Northern Ireland. Sport is an integral part of our culture and identity. We enjoy sport; we cherish it, it inspires us and creates a sense of pride. It projects a powerful, positive image of our community to international audiences.

Sport is, of course, much more than that. Taking part is fun, fulfilling and of value in its own right. Equally, sport has the potential to deliver other significant benefits. It can, for example, play a vital role in improving public health. Moreover, it can contribute to an improved academic performance from our children, as well as adding to their self-esteem.

Sports volunteers are the single largest group in the voluntary sector, both in the UK and on the island of Ireland. In addition, 12,500 people are employed in sport and physical-recreation industries in Northern Ireland.

Equally, although the benefits of sport and physical recreation to people with a disability require further research, there is an emerging indication that regular participation in sport may contribute positively to improving the prospects of disabled people in seeking employment. Sport can also be a valuable tool in the promotion of neighbourhood renewal, rural development and tourism.

Therefore, no one can doubt our sporting heritage nor question its importance, both culturally and in our wider society. However, that is not the whole picture. Today, sport in Northern Ireland faces major challenges and significant difficulties. Participation rates in Northern Ireland are among the lowest in the United Kingdom and are falling. There is evidence that some people in our community — most notably women, people on low incomes and people with disabilities — remain seriously under-represented in sport.

Our sporting and recreational infrastructures require substantial development and modernisation. In addition, Northern Ireland has a declining record of achievement in major competition. For example, the last Olympic medal won by a Northern Ireland athlete was in 1992. Despite their best efforts, the Northern Ireland team at the 2006 Commonwealth Games won the lowest number of medals since 1962.

That situation cannot be allowed to continue. We need a new long-term vision for sport in Northern

Ireland, to enable it to be developed on a sounder basis and to deliver all the benefits that are potentially available. The 2012 Olympic and Paralympic Games in London will provide all UK regions with considerable opportunities for participation in sport, for infrastructure improvement and for athlete development.

The games have the potential to motivate and to inspire our young people to take up sport. They can also help us to lay many of the foundations for a sound and durable sporting and cultural legacy. Undoubtedly, the 2012 Olympic and Paralympic Games, as well as the World Police and Fire Games in 2013, are an important context in which to promote sport in Northern Ireland. Nevertheless, regardless of the opportunities offered by those events, Northern Ireland still needs a wider, long-term plan for developing sport and securing its future.

What issues do we need to address? First, we must recognise that we are starting from a much lower base than many regions of the UK, and many nations beyond. We want to — and we must — do better, but we must also be realistic about what can be achieved over the next few years, given the current state of sport here. It is equally important that we recognise collectively the value of sport and that we commit to take action to develop it.

Sport Northern Ireland (SNI), which was formerly known as the Sports Council for Northern Ireland, also occupies a pivotal position, given its overall responsibility for funding and development. It needs to be involved fully in — and be supportive of — any proposals that are designed to improve the state of sport in Northern Ireland. Similarly, district councils, which are vital to the development and delivery of local sport and physical recreation opportunities, must play a key role in implementing future strategies for sport.

The draft strategy recommends that the extensive network of sports facilities that exists in the education sector be used for schools and communities. Governing bodies and sports clubs have a crucial role to play, given that they are the main interface between those who play sport recreationally and those who perform at the highest levels. The community, voluntary and private sectors contribute substantial human and financial resources to sport and recreation, and they can help greatly to drive forward and support future development.

Our athletes and coaches can do a great deal to assist and inspire others in the community to become involved, and to achieve. If we are to succeed, all of us need a common purpose, a shared vision, shared goals, and an agreed structure through which we can take action. It is with those points in mind that I announce today the publication for consultation of a draft 10-year strategy for sport and physical recreation in Northern Ireland.

The draft strategy, which my Department is compiling in partnership with Sport Northern Ireland, suggests a new vision for the future of sport and physical recreation, and it envisages a new, shared sporting future. The strategy seeks to reflect the sporting aspirations of the wider public, the community, and those who work in sport. Indeed, those aspirations were expressed in earlier consultations.

The draft strategy aims to inform the direction of future investment and the way in which sport should be developed over the next 10 years. It is structured to reflect the current and anticipated needs of sport and physical recreation that were expressed during the pre-consultation stage. Those needs relate to participation, which concerns the number of people who regularly take part in sport and physical recreation; performance, which concerns the achievements of Northern Ireland athletes and teams in competitive sport; and places, which deals with the venues and localities that are used for sporting and physical recreation.

The draft offers 24 specific targets to be achieved over the next 10 years for sport and physical recreation. Those are designed to address concerns about participation, performance and places. Those concerns include the need to improve participation levels in sport and the need to deal with the under-representation of certain groups. The draft strategy is also designed to address the need to improve Northern Ireland's performance in international competition, and the question of a major multi-sports stadium for Northern Ireland. Those are all pressing issues that face me, as the Minister with responsibility for sport. Indeed, Members will be aware that a decision on the way forward for the stadium will be required in the near future.

I have no doubt that many of the targets will be regarded as challenging. However, if they are achieved, there is the prospect of injecting much-needed rejuvenation into the way in which we deliver sport and recreation in Northern Ireland.

However, change on such a scale comes at a price. The need to marshal the skills and resources of all stakeholders, including Government, SNI, local authorities and the voluntary and private sectors, is raised in the draft strategy. The document estimates that full implementation of the strategy will require a total additional investment of around £200 million over 10 years. Clearly, levels of public funding remain subject to the normal budgetary processes, including other competing priorities and the ability of all stakeholders to contribute. Already, however, work is under way to address many of the resource shortfalls that are identified in the document. For example, given the upcoming London 2012 Olympic and Paralympic Games, plans are in train to improve Northern Ireland's sporting infrastructure, including the provision of a 50 m swimming pool. Under that

programme, there will be the opportunity to cater for the facility needs of several other sports, such as athletics, cycling, tennis, table tennis, fencing, volleyball, rowing, canoeing, basketball, sailing, gymnastics and equestrian sports.

In parallel with that, improved infrastructure will enable more people — regardless of age, gender, location, and community, ethnic or other backgrounds — to participate in sport and to achieve their full sporting potential. That is consistent not only with the objectives in the draft strategy but with the equality obligations, which have, of course, been considered while we have been developing the document.

10.45 am

I want as many people as possible to consider the draft strategy carefully and respond to it. The future of sport in Northern Ireland is at stake, so the strategy must concern us all. I, therefore, look forward to the outcome of the consultation and to receiving comments. I will be particularly interested in the views of the Culture, Arts and Leisure Committee. The document can be accessed from the Department for Culture, Arts and Leisure's (DCAL) website — www.dcalni.gov.uk — and copies are being placed in the Library. The closing date for receipt of responses is 9 January 2008.

The outcome of the consultation will help to shape the final strategy, which I expect to publish as soon as possible after the consultation's completion. I hope to make a further statement to the House on the matter then.

The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff): Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an ráiteas seo ar maidin ó thaobh cúrsaí spóirt.

I welcome the statement and the fact that the Minister has made it in the House. The draft strategy has been long awaited. I commend the Minister for his recognition of sports volunteers and the contribution that they make to sports development. That was a very good starting point. I, perhaps, take issue with the fact that it took the Minister a couple of paragraphs to reach the name of Peter Canavan — “Peter the Great”. Nonetheless, I shall overlook it.

The Minister said that:

“sport has the potential to deliver other significant benefits”.

He also talked about health, and community development and social cohesion could have been mentioned as well. We all know that sport contributes to wider Government objectives and priorities in the fields of health, community development and social cohesion. Will the Minister assure us that the principal governing bodies of those field sports that make the biggest contribution of all — namely, the GAA, the IRFU and the IFA — will be funded to the necessary

levels, in order that they may continue to develop the work that they do to contribute to improving health, community development and social cohesion?

I have picked up messages from sports organisations that the level of consultation undertaken before the draft strategy was published was not good enough. I want an assurance from the Minister that, between now and January 2008, when the consultation closes, the aforementioned governing bodies will be properly and meaningfully consulted, and that any substantial changes that they may wish to suggest will be carefully considered.

Mr Poots: To take the last point first, I dealt with this matter to some extent yesterday. However, to add to the answer that I gave then, all governing bodies were invited to a special governing-body workshop in September 2005 to give their views on the state of sport and on priorities for the strategy. That was in addition to the public consultation meetings that took place at various venues across Northern Ireland.

In April 2006, DCAL arranged a special testing session on the initial draft of the strategy, to which all governing bodies were again invited. Governing bodies will also have an opportunity to submit their views as part of the consultation on the draft strategy. Ultimately, because this is a public consultation document, I want to hear the public's views on it. However, governing bodies are key players in sport in Northern Ireland, so particular note will be taken of their views.

The Chairman of the Committee asked whether the "big three" will receive the necessary funding. Participation in sport may be at a higher level in those three particular sports, but there is a plethora of sports outside the "big three" that we must not forget about and that we must recognise.

For example, this morning, I met members of the Northern Ireland surf kayak team, which is shortly to compete in the World Surf Kayak Championships in northern Spain, and which I trust will bring home something significant. The World Transplant Games have just ended, and Northern Ireland did remarkably well in them, bringing home many medals.

There is a wide range of sports that people can choose to take up and participate in. The draft strategy for sport and physical recreation's aim is to identify how we can best support people across a range of sports, and how we can identify areas of financial need. It will be difficult to achieve the level of finance that is required, but, nonetheless, the draft strategy identifies and makes clear what we need to deliver in ideal circumstances, and we are happy to do that.

Participation in sport in the UK is lower than in other parts of Europe. In Northern Ireland, participation is lower than in the rest of the UK. That presents a challenge. We can contribute to better health by fighting

childhood obesity, in particular, and by reducing the number of children who develop diabetes from the age of 10.

Owing to current levels of childhood obesity and diabetes, this country could find itself in a scenario in which a generation will not live as long as its parents' generation. That would be the first time that that had happened in modern times. Those matters must be addressed, and they will be addressed, not by cure, but by prevention. Sport has a key role to play in preventing illnesses.

Mr McCausland: I thank the Minister for his statement. I am glad that the draft strategy is to go out for consultation; it is very important that we have an extensive and inclusive consultation.

I wish to ask the Minister how the draft strategy for sport relates to wider social and Government agendas. The Minister explicitly mentioned the health agenda and implicitly mentioned the shared-future agenda.

It is certainly the case that sport can contribute, as has been said, to social cohesion and good relations. What will be done about the position of the Gaelic Athletic Association, which, by its constitution and ethos, is an exclusively nationalist organisation, and is, therefore, not merely a cold house but a closed house for the unionist community?

Mr Poots: I shall deal first with the point that the Member made about the health agenda. The sports strategy states that:

"In Finland, 70% of the population attain physical activity levels that are recommended by Chief Medical Officers in the UK."

In the UK, that figure is 32%. That demonstrates a stark difference between where we should be and where we are.

In Northern Ireland, the percentage of overweight or obese boys has increased from 13% to 19%. Among girls, the percentage has risen from 20% to 27%. Those figures cover the period from 1997 to 2004. Lack of activity can contribute to diabetes, colon cancer, osteoporosis, anxiety and stress, among other illnesses. It is clear to me that we must address public-health matters, and sport plays a key role in doing that.

It has been stated in the House of Commons that for every £1 that is spent on sport by central Government, £866 is spent on health. If there were a marginal increase in sport funding, we could make a real contribution to the health of our society. People must grasp that fact.

As far as possible, politics should remain separate from sport. During my first conversations with the Gaelic Athletic Association, I raised some issues along those lines. I will continue to have conversations with the GAA on that matter. Ultimately, it is for that body to

decide how it goes about things. The GAA makes a significant contribution on the sporting side. As for the political side, perhaps all of us need to move on.

Mr McNarry: I thank the Minister for his statement, which we received only an hour ago during our party group meeting. Undoubtedly, there will be an opportunity to explore the matter more fully in meetings of the Committee for Culture, Arts and Leisure.

The draft 10-year strategy is to be welcomed in principle. With respect to participation, performance and places, will the Minister clarify the need to improve levels of participation and performance in respect of the national sports stadium? Will he be making a decision soon on the location and format of the stadium, or is he contemplating a further period of consultation and reflection?

Mr Poots: I intend to make a decision on that matter in the not-too-distant future. The final draft is almost complete. Applications from private-sector partners to develop a multi-sports stadium have been made and are being assessed. Ultimately, all the information that is required to make a decision is coming together, and when it has been brought together, and I have had time to consider it, a decision will be made. The Member should not worry about having to wait too long for that decision.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle, agus gabhaim buíochas leis an Aire as an ráiteas a rinne sé anseo ar maidin agus as an cháipéis chomhairliúcháin atá curtha ar fáil aige.

I thank the Minister for his statement and for providing Members with the consultation document. I take issue with the Minister's list of sporting luminaries, insofar as he failed to include any Armagh players. I suggest that, in future, he should include the great Ciaran McGeeney and Francie Bellew in that list.

Later in the same statement —

Mr Deputy Speaker: I have given the Member some leeway because he was speaking about Armagh, but could we have a question? *[Laughter.]*

Mr D Bradley: I am heading in that direction, Mr Deputy Speaker. The Minister, in his statement, said that we have all delighted in the endeavours of Northern Ireland, and that many have paid tribute to Ulster successes in Gaelic games. I hope that we would not be as begrudging as that, and that, in the spirit of sport, we would delight in Ulster's successes in Gaelic games and in rugby.

My question relates to education. In light of the importance of school facilities and policy — and after-school activities in particular — in the development of physical literacy from an early age, will the Minister outline the level and quality of engagement by the Department of Education in the

development of the sports strategy? Go raibh maith agat, a LeasCheann Comhairle.

Mr Poots: First, I do not think that anyone could accuse me of begrudgery in relation to sport. I have always welcomed those who have achieved great things in sport regardless of their backgrounds or communities, and I will continue to do so. I will leave begrudgery to the other side of the House.

The drawing up of the sports strategy involved the Department of Health, Social Services and Public Safety, the Department of Education, Sport NI, and other key stakeholders. Therefore, the Department of Education did help us to draw up the strategy. In my view, schools play a key role. One of the aims in the strategy is to ensure that children spend at least two hours in after-school activities and in physical recreation. We cannot achieve that without the Department of Education, which has bought into the strategy.

Another key point about schools is that there is an opportunity for dual use of school facilities, in conjunction with community facilities.

There is a plethora of facilities in Northern Ireland, but none is up to scratch. I want more investment in high-quality single facilities of premier league standard. It is imperative that local councils and education authorities work together to deliver a single facility that is used for the education of young people during the day and for community purposes at night. I can point to several successful examples of such usage. In fact, I recently opened a multi-sports pitch in Limavady that will be used by several local schools during the day and by the community and local clubs in the evenings.

11.00 am

Mr McCarthy: I have a special interest in a sports strategy for Northern Ireland because I chair Ards Borough Council's sports development committee. In the Minister's statement, he noted some well-known Northern Irish sporting heroes, of whose achievements we are all proud. However, in order to reach that status, people must start at grass-roots level, and Members must never forget those sportsmen and sportswomen who participate in their chosen sport, week in and week out. I take this opportunity to congratulate Ballycran hurling team, which clinched all this season's championships. Also, Kircubbin Football Club —

Mr Deputy Speaker: Can the Member please ask his question?

Mr McCarthy: I am coming to my question.

The sports development committee that I chair has a budget of a mere £4,000. Here is my question: will the Minister direct sufficient funding through local councils to encourage more people in the community to become involved in sporting activities, thus helping to promote the sports strategy. Sport Northern Ireland has lost some

£4 million because of lottery funding being diverted to the 2012 Olympic Games. How will the Minister replace that lost funding? Does the Minister share the opinion of his colleague — who is not in the Chamber — that the GAA is a nationalist organisation? I am a GAA member, and I certainly do not have any labels hung around my neck.

Mr Poots: Last night, the Executive discussed the Budget, and I was absolutely and abundantly clear about what is needed to deliver a sports strategy in Northern Ireland. I spoke about how the loss of lottery funding would affect arts and sport, and that that shortfall must be made up. If that is not done, we will enter the next financial year with a deficit, and there will be a break-even situation the following year. The sports strategy cannot be delivered unless there is sufficient funding. Members' Executive colleagues will confirm my position.

It is not for me to interfere in the internal affairs of Ards Borough Council, but I would suggest that if the Member's council colleagues can be persuaded to give the sports development committee only £4,000, perhaps that is a reflection on the committee's chairman.

Mr Deputy Speaker: Several Members wish to ask questions of the Minister on this important document. Can Members please ask short questions? The Minister will then be able to give brief answers, and we will get through more Members' questions.

Mr McCarthy: On a point of order, Mr Deputy Speaker. I did not get an answer to my third question.

Mr Deputy Speaker: It is not for me to rule on how the Minister answers the questions. The question was asked and the Minister answered.

Mr Shannon: I thank the Minister for his positive statement and for the way in which he has encouraged sportsmen and sportswomen to be successful. In the past, Northern Ireland people have shown their prowess at various Olympic Games, including winning a silver medal, so perhaps now is a good time to promote sport and support young people. We have the talent and we should promote it for the future.

I have two questions, and I will come to them very quickly. The first is in relation to the Olympic Games. How will Northern Ireland benefit clearly and directly from the London Olympic and Paralympic Games in 2012 and the World Police and Fire Games in 2013? Secondly, the draft strategy refers to those who are over 60 — and I am still a few years away from that category; some in this Chamber fit into that category, but I do not. However, is there any strategy for the participation in sport of people who have attained that age. The reference is on page 34 of the draft strategy.

Mr Poots: It is important that more older people participate in sport; that has been identified as one of

the areas where there is not enough participation. The opportunity needs to be there and the facilities need to be readily available and have a welcoming environment. Clubs should provide opportunities for people to participate when they may be past their physical peak but still wish to participate — I am not looking at Mr Campbell in particular — and enjoy physical recreation and sport.

We are bidding for elite facilities for the Olympics. We have sought £53 million for the delivery of that in Northern Ireland, and that sum will be topped up by those who are making bids for the money; in general, that will mean local authorities. There had been 29 bids; that is now down to 15. The facilities will have premier Olympic status, and they will be excellent facilities. My desire is to have 10 Olympic teams training and participating at such facilities in Northern Ireland. Those groups will attract young people to watch them training, and the facilities will be available thereafter, so there is a huge opportunity for people to go and get involved.

I want to stress how important it is that we fully engage on the Paralympics. There are many individuals who have physical disabilities but love sport and want to participate in it and enjoy it. We need to ensure that people who have disabilities have equal access to opportunities to participate in sport.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle, agus comhghairdeas ar an ráiteas ar maidin. I congratulate the Minister on his statement. He said that the evidence shows that people in our community, most notably women, remain seriously under-represented in sport. Does he agree that camogie and ladies' Gaelic football somewhat address that issue? Will he ensure that there is a proactive approach to female sports in the 2007-17 strategy?

Mr Poots: Camogie is a Gaelic sport and falls under the governance of the GAA. I am happy to work with all governing bodies in the delivery of sports and access to sports. Obviously, women are a key target, because of their level of under-participation. The strategy will enable governing bodies to work better and to bring people with disabilities, women and other under-represented groups into sport.

Lord Browne: I also congratulate the Minister on his statement. The draft strategy is detailed and ambitious. Is the Minister confident that the additional money required to implement it in full will be available? It is important that young people engage in sport: how does the draft strategy go about retaining young people's participation in sport and physical education?

Mr Poots: One would need the wisdom of Solomon to answer your question on confidence and money because one does not know what the future will hold. The Chancellor, Alistair Darling, will reveal the CSR

at some point today, and final decisions in Northern Ireland cannot be made until the implications of that are known. However, an excellent case can be made that sport deserves greater funding, and I am hopeful of achieving more funding for sport within the CSR bids.

The best way of encouraging young people to participate in sport is to get them involved at an early age and to let them find sports that they enjoy. There are different sports for different people, and identifying which sports are best suited to individuals will help to ensure that young people continue to participate in those sports even after they leave school and college.

Mr K Robinson: I note the ministerial statement and the many expressions of motherhood and apple pie that it contains. Will the Minister assure me that he has the full support of his party and the total backing of the Executive for the draft strategy? I also note that the name of the famous Sammy Hughes was omitted from the list of greats, and I am sure that the Minister will join with the rest of the House in congratulating Glentoran Football Club on achieving its one-hundred and twenty-fifth anniversary at the weekend.

Mr Poots: I thank the Member for that. The problem with starting a list of names is deciding where to stop. There are many great sporting people from Northern Ireland who have not been mentioned today but would have been worthy of mention.

I do have the support of the Executive for the draft strategy.

Mrs M Bradley: Will the Minister outline whether the priority of the strategy is to ensure the greatest participation in sport across all sectors of our community, including Gaelic games, rugby, soccer, hurling and hockey, rather than to improve the level of performance at competitive international level? I could go on listing sports, but participation by disabled people in sport is particularly important.

Will the Minister also give an overview of the level of expected cross-border and all-Ireland investment and partnership that will be developed over the period of the strategy?

Mr Poots: Obviously, we want our sporting performances to be at the highest levels because that will provide inspiration for others to get involved in sport. However, sport is also about people getting out and enjoying physical recreation. People in areas of social need do not achieve and participate to the levels that are expected in sport. The strategy targets those people.

There is substantial investment in sport in the Republic of Ireland. During various meetings, the Department will be discussing that matter with Ministers from the Republic of Ireland. A number of sporting bodies are organised on an all-Ireland basis. Many of those arrangements pre-date partition, and it

is not a good idea to involve politics in sport. It is fine that some governing bodies operate on an all-Ireland basis, but it is important that people can fulfil their desires to participate for the team that they wish, whether that is the Great Britain team or the Ireland team.

Mr Brolly: Go raibh maith agat, a LeasCheann Comhairle. I will break with tradition and merely ask a question. How hopeful is the Minister that he will get the estimated £200 million required for the sports strategy over the next decade? Will he assure Members that, if he is successful, it will be entirely new money, or will it be partly, or fully, old money that has been recycled or redirected?

Mr Poots: An additional amount of £200 million is required. It cannot be old or recycled money.

Central Government must make a substantial contribution. However, others who are involved in sport, such as local government, sporting bodies and the private sector, have a sponsorship role to play. I am confident that more money will be invested in sport over the next 10 years and that the levels of participation and performance can be raised. All sides must pull together: the Department will take the lead, but I trust that others will join it.

11.15 am

Mr Ross: I thank the Minister for his statement, and I welcome the launch of the draft strategy. As the Minister said, sport has the ability to lift not only the individual but a nation.

Members have referred to the importance of equipment and facilities. However, does the Minister agree that a high level of coaching is, perhaps, the most important factor in improving the overall performance of athletes in Northern Ireland, at elite and grass roots level?

Given the timescale for the proposed strategy, is there scope to review and update the document, and who is responsible for implementing the strategy?

Mr Poots: The document identifies that DCAL wants to appoint an additional 900 accredited sporting coaches between 2007 and 2017. People with the ability to train and teach others how to maximise their skills and abilities at their chosen sports will make a considerable difference.

DCAL intends to review the document around the start of 2011. The Department will assess how the strategy is developing and consider how to reach those targets that are not being met. DCAL will take the lead responsibility for the strategy's implementation.

Ms S Ramsey: A LeasCheann Comhairle, I also welcome the Minister's statement and his commitment to taking action to develop sport.

As Kieran McCarthy said, the cut in lottery funding to Sport NI is due to the diversion of money to the 2012 Olympic and Paralympic Games. I wrote to the Minister recently to request a meeting to discuss a project for which the Lenadoon Community Forum submitted a bid for funding. The forum has recently been told that a final stage letter of approval is not forthcoming because of the cut in funding. Has the Minister any plans to put in place alternative arrangements to offset that reduction?

Mr Poots: Yes, I have. Lenadoon is one of several clubs that find themselves in the same position. They have gone through the process of submitting bids and meeting all necessary requirements, only to find that they are unable to obtain funding because of the cut in lottery funding related to the 2012 Olympic and Paralympic Games. For the clubs involved, that is a most regrettable situation. They put in a great deal of effort, and I understand their huge disappointment.

As part of the strategy, DCAL has identified capital development needs and has made bids for capital in ISNI 1 and ISNI 2. The Department awaits the outcome of the comprehensive spending review to identify how that can be taken forward.

Mr Deputy Speaker: I remind Members to switch off their mobile phones, as a phone is interfering with the recording.

Mr Storey: I welcome today's statement and particularly the Minister's reference, in his opening remarks, to the late Joey Dunlop, who came from my constituency.

On page 38 of the draft strategy, there is a reference to the:

"reduction in the number of district councils from 26 to seven by 2009."

Will the Minister confirm that that is a printing error rather than a DCAL policy statement? Will he assure me that that mistake will be corrected and, with reference to the 2012 London Olympics, that he will not forget the famous son from Dervock? The anniversary of Kennedy Kane McArthur's winning gold at the 1912 Olympics in Stockholm will be marked in 2012.

Mr Poots: I thank the Member for pointing out a clear error in the document. The document is in draft form and is open to correction. A consultation process will be carried out before the final document is published.

I am sure that many people will highlight other deficiencies in the document. With no disrespect to those who were involved in drafting the document, they cannot think of everything. Ultimately, others will make contributions to the strategy, and it is important that people respond and bring forward their ideas and proposals. I encourage people to read the document and to identify

its shortcomings and bring them to the attention of the Department and Sport Northern Ireland.

Joey Dunlop from Ballymoney was a great sportsman who was in a league of his own, but other people have also made significant contributions.

Mr Elliott: I thank the Minister for his statement. However, I will reserve judgement until I see the effectiveness of the strategy's practical outworkings.

Does the Minister share my disappointment that Northern Ireland's part in the 2007 World Rally Championship itinerary, which he noted in his statement, is very small, considering the earlier indications from Rally Ireland that it was likely that one of the two rally hubs — either the headquarters or the service park — would be based in Northern Ireland? Both are now to be based in Sligo in the Republic of Ireland.

Mr Poots: I inherited the World Rally Championship from the previous Secretary of State, who was a great motorsport enthusiast. He was keen for the event to take place in Northern Ireland, and the plans had been put in place before I took up office. Nonetheless, we should not totally decry the event because of disappointment in Fermanagh over one aspect of it. Over 300 million people will watch the event live on television. In case Members do not know, it is to take place on 15 November in the grounds of the Stormont estate. That will send out a positive message that Northern Ireland is a good place to be. With the backdrop of this Building, 300 million people will watch a world-class event taking place in Northern Ireland, and I am encouraged by that.

Mr O'Loan: I welcome the statement and the important draft strategy. The Minister referred to sport for the disabled. What was the level and quality of engagement with disabled people in formulating the strategy? How will the strategy be promoted to the disabled? Will a budget and funding be provided for sport for the disabled? How will disabled people be enabled and encouraged to participate in sport at a local level?

Mr Poots: Some 90% of disabled people who engage in sport are also in employment. Representatives from Disability Sport have said that sport has given disabled people the confidence to do well in other aspects of life. That 90% is a higher percentage of disabled people who are in employment than is normally the case. Therefore, what sport can do for people with disabilities is significant.

Janet Gray is an inspirational character. She is a world-class blind waterskier who has won many gold medals. She trains at the sports institute in the University of Ulster at Jordanstown. That involves making a taxi journey, two train journeys and a walk from the train station to the university. Those are the efforts that she

makes in order to maintain her physical fitness levels. She is a tremendous inspiration to everyone in sport and, in particular, to those who are disabled. Sport can do great things for those who are disabled. We engaged with those people, and the Department of Health, Social Services and Public Safety took the lead on that.

The Department is very keen — and it is a priority in the strategy — that people with disabilities can participate in, and be able to enjoy, sport.

Mr McHugh: A LeasCheann Comhairle, I welcome the Minister's statement, particularly the 10-year strategy for the provision of physical-activity facilities. The Minister mentioned the benefits of participating in physical activity and sport, and the need for young people to begin at an early age in order to progress in sport.

The Minister also mentioned the issue of neighbourhood renewal and the fact that, in many towns and villages, private developers are building on as much green land as possible — as is anyone else who can get their hands on such land. In many of our towns and villages, there is very little for young people aged nine and older to do. Antisocial activity is seldom perpetrated by young people who play GAA sports, soccer or other sports. Has the Minister consulted with other Departments and local councils, to prioritise the provision of facilities for sports and other physical activities for our young people so that they are not forgotten as they are at present?

Mr Poots: Planning Policy Statement 8 deals with the provision of open space. It states that, in any given area, there should be four acres of open-space land for every 1,000 people. PPS 8 also stresses that the Planning Service and DOE must work together to ensure that that ratio is adhered to. When new area plans are published, it is important that the provision for open space is identified in them. That is even more important nowadays, due to issues such as town cramming and houses being built on small plots of land, which mean that many gardens are not big enough for young people to play. It is essential that adequate open space be provided, and that is an issue for the Planning Service. Planning Policy Statement 8 states that plans must make provisions for adequate open space.

PRIVATE MEMBERS' BUSINESS

Arts Funding

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

Two amendments have been selected and published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes to wind up.

Ms Lo: I beg to move

That this Assembly recognises the critical role that the arts can play in promoting a positive international image of Northern Ireland, attracting visitors and growing the local economy and the contribution that community arts make to social cohesion; expresses its alarm that the arts are relatively underfunded per capita in Northern Ireland compared to all other regions in the United Kingdom; and calls upon the Executive to raise the level of arts funding to at least the United Kingdom average within the forthcoming Comprehensive Spending Review.

The Alliance Party is against the two tabled amendments. The first amendment considerably weakens the motion's request for increased funding. The second amendment, although it supports an increase in funding, does not go far enough; £10 per person is not enough, and the Arts Council is now calling for £11.55 per person.

I thank the Arts Council, the Ulster Historical Foundation, the Invest in Inspiration campaign and others for sending me their briefing notes, which have contributed to this speech. Northern Ireland has a wealth of talent in art, music, drama, film, poetry and many other forms of artistic expression.

Both of our major traditions provide us with rich culture, and that is enhanced by the different people who come to live among us in this beautiful land. We should have a flourishing arts sector of which we can be proud, but the arts sector is facing a serious funding crisis with low morale and job threats. For too long, citizens in Northern Ireland have been denied access and entitlement to the arts at a level that is enjoyed by other parts of the UK and Ireland.

11.30 am

Over the past 10 years, Northern Ireland has moved from a position of near-parity in arts funding with other regions to bottom of the league. The trend over that period shows a widening gap in per capita public funding and the lowest level of growth compared with elsewhere in the UK and Ireland. We invest £6.13 per head of population in the arts sector, which is in stark contrast to the £8.39 that is invested in England, £8.80 in Wales, £11.93 in Scotland and £12.61 in the Republic of Ireland. Not only has the arts sector sustained three

successive years of standstill funding, but the decline over the past two years in National Lottery income has been further compounded by the decision to allocate lottery funds from the good causes fund to the London Olympics 2012. As a result, the Arts Council faces a reduction of £4.5 million over the next few years in its lottery-funded arts projects.

Arts funding is not only about funding the Grand Opera House or the Belfast Festival at Queen's — it enables organisations such as the Belfast Community Circus to instil values and transferable life skills to young people. The new Belfast community arts initiative has programmed workshop activity for more than 10,000 individuals — mostly young people — and employs more than 240 artists. Some 84% of its participants come from the most deprived wards.

The development of a social dialogue through the arts offers a real-life demonstration of a shared future in action. However, the proof of need for additional arts funding is not only found in and around disadvantaged urban communities, but throughout urban and rural areas in Northern Ireland. A range of arts activities are promoted in Northern Ireland through such organisations as the Share Centre in Fermanagh, which works with disabled and able-bodied children; the Nerve Centre in Derry, which works in music, film, animation and new media; Altnaveigh House in Newry which celebrates Ulster-Scots culture; piping and drumming schools; and touring theatre companies that ensure that quality theatre is available to the network of new art centres that have been supported by local councils and the Arts Council of Northern Ireland.

Cutting arts funding year in, year out is a short-sighted strategy to save money, whereas investing in the arts brings a multitude of economic, social and health benefits to society. Investing in the arts brings about a vibrant creative industry sector to boost the local economy by generating revenue and providing employment and business opportunities as well as attracting inward investment.

Investing in the arts promotes rural and urban regeneration. Examples of that were seen in Glasgow, Manchester and Liverpool in the 1980s, when they turned to the arts to drive urban regeneration following the decline in manufacturing industries. If they can do it, so can we. Everyone would love to see Belfast crowned as the European Capital of Culture.

Investing in the arts stimulates tourism, and Northern Ireland is already attracting more and more visitors. A high, international profile for the arts, and well-developed cultural and heritage projects and centres, will help the growth in cultural tourism.

Investing in the arts has been well proven to increase confidence, improve behaviour and generate

more positive attitudes to learning in children and young people.

Investing in the arts enhances social cohesion by promoting the integration of minority groups, tackling sectarianism and racism and contributing to a more inclusive society. The arts sector is calling for an increase in arts funding from £6.13 to £11.55 per person per year, which is an increase of approximately £26 million for the 2008-10 funding cycle. It is a modest request that represents less than a quarter of one per cent of the annual spend on hospitals and community health, or less than half of one per cent of the education budget. The Executive need to take a strategic view of the overall development of Northern Ireland.

Investing in the arts is like investing in business, in that everyone will reap its benefits in economic and social gains.

Mr McCausland: I beg to move amendment No 1: Leave out all after “cohesion;” and insert

“and, while recognising that economic growth must be the Assembly’s main priority, encourages the Executive to explore means of enhancing promotion of the arts in Northern Ireland.”

There is much in the motion with which I agree. Its basic thrust is that we should seek to increase expenditure on the arts, which I support. I will come to my amendment in due course, but there are many reasons for increasing arts expenditure, and the Arts Council has highlighted a range of them in a number of its documents. One is increasing the positive international image of Northern Ireland, and a good example of that was Northern Ireland’s contribution to the recent Smithsonian Festival in Washington, where expressions from the whole range of cultures in Northern Ireland were on display, including very colourful contributions from the Orange Order and the Ulster Scots. That was an example of how we can use Gaelic, Ulster-Scots and Orange cultural life, in mainstream, high or community art to give a positive international image to our country.

The arts are also a way of attracting visitors to Northern Ireland, and cultural tourism will certainly be one of the main thrusts for tourism in the coming years. Whatever happens with climate change, people will not normally come to Northern Ireland for sunshine and sandy beaches, but they often come to sample the interesting and diverse cultural life of the country.

There are many ways in which the creative industries can help the growth of the economy, and the Minister of Culture, Arts and Leisure has spoken of them. Only yesterday, there was mention of the importance of creative industries to the local economy. It is an area in which there is particular local expertise, such as in the film industry.

We can also consider the benefits of community arts and the role that they have in social cohesion. Many

communities find the arts a means of expressing their aspirations, hopes and fears. That is a way of bringing people together, in a shared experience, as a community. Community arts, in all their various forms, represent a sector that needs encouragement and support.

The voluntary arts sector is of particular value and importance, and it does not get as much attention as it should. There are many folk who may not wish to engage in a group activity in community arts, and they may not want to join a theatre group or play in a local band. However, those people can participate in the voluntary arts as individuals, and the benefits include social experience, opportunities for expression and improved self-esteem.

The expression of cultural identity is another aspect of the arts that is often talked about. It is important for people to have an opportunity to express their cultural identity. If we are to create a stable and coherent society in Northern Ireland, all cultural traditions should be treated on the basis of equality and diversity, whether that is Ulster-Scots, Irish or Orange culture — they all deserve the opportunity and equality of support and expression.

The figures that are often quoted refer to the money that flows into the arts via the Arts Council. However, it is important to remember that money also goes into the cultural tradition aspects of the arts through bodies such as Foras na Gaeilge or Tha Boord o Ulster-Scotch. Therefore, there are other funding streams into the arts sector that may not be automatically included in those figures.

The aim and aspiration of the Arts Council is that the arts should be:

“at the heart of our social, economic and creative life”.

That is a good aspiration and one that I hope that we could all endorse. The arts should not be seen merely as an add-on or an optional extra, but as something that is at the heart of every aspect of Northern Ireland society.

People's views of the arts can, sometimes, be a bit narrow. The Arts Council not only involves the arts, but architecture, the built environment and the craft sector. There is a tremendous opportunity for local businesses and the local economy. If we are to invite tourists to Northern Ireland, we should provide goods for them to purchase when they are here. The greater the range and diversity of those goods, the higher the spend, resulting in more money coming into our economy and to the artists who are involved in various creative arts.

My colleague the Member for East Londonderry Gregory Campbell has highlighted the fact that when one arrives at our ports, harbours and airports, the items for sale reflect one cultural tradition only — and not very well at that. Quite often, one finds a cow with a green shamrock stuck on the side, made in China or

somewhere. Nevertheless, we want to see goods that are available from the whole range of cultural traditions in Northern Ireland, so that when one arrives at the airport and sees, “A Taste of Ulster”, it really is a taste of Ulster and not a taste of Killarney or Galway.

The biggest community arts sector in Northern Ireland, and one of the areas often neglected, is our bands. There are in the region of 100 pipe bands, although not all of them take part in competitions. We have several hundred accordion bands and an even greater number of flute bands. All those bands have around 20, 30, or more members.

11.45 am

Folk are also involved in a wide range of associated activities in support of the bands. The involvement of all those people means that bands, which do not get the attention that they should, are a large and key sector in community arts. In that sense, I hope that the Arts Council will review its provision of funding.

Lottery funding is tight, but, considering the large number of people who are involved with bands, that provides only a modest amount of money for instruments. Therefore, I hope that consideration will be given to increasing that funding.

I have mentioned various aspects of culture and the arts and their importance to society. In my final two minutes, I want to concentrate on amendment No 1.

Importantly, the Committee for Culture, Arts and Leisure is about to consider funding for arts and culture and will want to study what is currently being spent in Northern Ireland compared with the rest of the United Kingdom and the Republic of Ireland. Therefore, to tie ourselves to any target figure at this time would be premature. I prefer amendment No 1, which:

“encourages the Executive to explore means of enhancing promotion of the arts in Northern Ireland.”

It is not only a matter of direct Government funding, a culture of sponsorship must be encouraged in Northern Ireland. In addition, local authorities must be encouraged — borrowing the Minister of Culture, Arts and Leisure's phrase from yesterday's debate — to step up to the mark.

I am pleased to refer to the Arts Council of Northern Ireland's publication, ‘Local Authority Arts Expenditure Survey 2003-2004 and 2004-2005’, which I will not wave around because that would be inappropriate. In 2004-05, Belfast City Council did step up to the mark by setting aside £9,228,487 for the arts. It was the highest figure by far when compared with councils that only set aside about £3,000. People may say that the figure relates to the size of population; however, North Down Borough Council, headed by one of the proposers of the motion Stephen Farry, gave £2.68 per capita to the arts, compared with £33.27 from every citizen of Belfast. Amendment No 2 is tabled by Barry

McElduff, whose council gave just £5.83 per capita. One way to increase spending on the arts would be for Omagh District Council and North Down Borough Council to step up to the mark in the same way that Belfast City Council has done.

Mr McElduff: I beg to move amendment No 2: Leave out all after the first “Kingdom”, and insert

“and Ireland; and calls upon the Executive to raise the level of arts funding to at least £10 per person, in the context of the Comprehensive Spending Review.”

Go raibh maith agat, a LeasCheann Comhairle. I take issue with Nelson McCausland, not on his final point, but in that he may inflict damage to the tourism industry by suggesting that we do not have sandy beaches. We do have sandy beaches, and, furthermore, Mr Brolly told me that the sun was shining the day before yesterday.

A LeasCheann Comhairle, cuirim fáilte roimh an rún seo, ach tá mé ag moladh leasú don rún seo ag an am céanna. Is maith an rud é go bhfuil muid uilig ag déileáil leis an ábhar seo - tacaíocht do na healaíona. I welcome the Alliance Party's motion —

Mr McNarry: On a point of order. If a speech is made in a language that is not English, does the Speaker not have a mechanism to interpret what has been said in order to assuage my fears that nothing was said that I did not want to hear? I did not notice that you used any such mechanism, Mr Deputy Speaker. Will you satisfy me — because you were not even paying attention to what the Member was saying — that you understood what the Member said in a language other than English?

Mr Deputy Speaker: That is not a point of order. Rather, it is a correction of the Deputy Speaker, which I do not accept. I was attending to several different matters at the same time; however, I understood what Mr McElduff said.

Mr McElduff: Go raibh maith agat. I hope that the Deputy Chairperson of the Committee for Culture, Arts and Leisure, Mr McNarry, will support the procurement of a simultaneous translation system to benefit all 108 Members. He could then rely on that system and no one else. That would be a quare good idea.

It is important for the Assembly to hear the case for increased revenue funding for the arts, and the Alliance Party, by tabling the motion, has done a service for the Assembly and the arts.

We should debate the critical role of the arts in driving the economy; in job creation and, crucially, job retention; in improving people's social lives and uplifting communities; in attracting visitors to our sandy beaches; and in improving the health and well-being of the wider community.

To some degree, everyone is aware that investment in the arts contributes greatly to achieving a range of Government priorities, as does investment in sport, which was mentioned in the previous debate. I wish to re-emphasise that fact.

A key message in the Arts Council's proposal to the comprehensive spending review for more revenue funding is that every £1 currently invested in the arts gives a return of £3.60 to the local economy. That cannot be disregarded, and the implications must be understood across the board.

Sinn Féin's amendment seeks to strengthen the motion and add to the case, not take away from it. The amendment proposes to add the words, “and Ireland”, not only because of the North/South dimension to the political architecture, but because, crucially, in 2006–07, the Twenty-six Counties spent £12.61 per capita on the arts. That is over twice the amount that is spent on the arts in the North. A lesson can be learned from the Twenty-six Counties.

I was surprised that the Alliance Party omitted that fact, because it would be common sense to include it if one wishes to reflect accurately the scale of arts underfunding in the North. I ask the proposers of the motion to accept amendment No 2, particularly the financial dimension, because it highlights further the substantial difference in investment. That is the missing part of the jigsaw, which is why Sinn Féin tabled amendment No 2.

The bottom line is that Sinn Féin wants to secure an increase in revenue funding for the arts in order to avert further funding crises and prevent crucial arts projects having to pull down their shutters. The case is best served by presenting a comparative picture of arts funding throughout these islands.

The amendment suggests spending at least £10 per capita as an endorsement of the Invest in Inspiration campaign, which was launched in January 2007 by the Arts Council with the support of the Forum for Local Government and the Arts. That campaign outlined 10 great reasons to invest in the arts.

I acknowledge what Anna Lo said about the lottery funding crisis. The double whammy of decreased lottery income and the diversion of funding to the 2012 Olympic Games has caused the figure for average spend to be recalculated. The new figure deemed necessary to invest in the arts will be £11.55 per capita over the period of the comprehensive spending review.

As Chairperson of the Committee for Culture, Arts and Leisure, I can tell Minister Edwin Poots that if, or when, he goes to the Executive to seek greater revenue funding for the arts, the Committee will support him. Edwin Poots and I might not always agree on everything, a LeasCheann Comhairle, as you might appreciate, but

we have a common purpose in seeking greater revenue funding for the arts.

Society must demonstrate how it values the arts and show that they matter. The arts enrich everyone's lives and help to provide a more inclusive and cohesive view of society. Nelson McCausland talked about a narrow view of the arts, and we must note that some people feel that the arts are elitist. However, they are not elitist — they are for everyone.

When members of the public are asked when they last attended, or participated in, an arts event, they often tend to shy away from the subject, saying that they are not involved in the arts. They then realise that they might have attended a community play the night before, a concert in the recent past, even a painting class, an exhibition, a scór, a fleadh competition, a céilí, or a dance class. Therefore, everyone is involved in the arts; sometimes people are a bit slow to acknowledge that.

In my community, in mid-Tyrone, my introduction to the arts, in a formal sense, was through the Mid Ulster Drama Festival, which was held in the Patrician Hall. We were always treated to nine nights in a row of theatre. I commend organisations such as the Mid Ulster Drama Festival committee.

It is important that we acknowledge what the Minister talked about yesterday. He also previously stated that:

“Having quality arts facilities ... to showcase creative and cultural talent builds confidence and a sense of pride in local people.”

In the West Tyrone constituency, people are proud of facilities such as the Strule Arts Centre in Omagh, the Alley Arts and Conference Centre in Strabane, and the Patrician in Carrickmore.

Our amendment draws attention to the more complete picture of per capita spend on the arts in these islands. The amendment also adds to the context of the motion because the £12·61 per capita being spent on the arts in the Twenty-six Counties during 2006-07 is a significant figure that must be analysed and taken note of. People in the North have the same cultural entitlement as everyone else on this island — in this country. We want to assert that fact.

Sinn Féin notes that the deepening crisis in arts funding means that the amount that is being asked for has had to be recalculated to £11·55 per capita. It is intolerable that, during the comprehensive spending review period, further reductions are planned in funding for the arts. Those cuts total £4·5 million — that is not acceptable, especially considering what was originally and previously planned.

We want funding returned directly to the arts sector. We also want increasing democratisation of how that money is managed and spent. However, in a general sense, we are supportive of the motion that has been tabled.

Mr McNarry: On behalf of the Ulster Unionist Party, I express our sincere gratitude to Ms Anna Lo and Dr Farry for tabling the motion, which highlights the significant comparative underfunding that exists between our region and England, Scotland and Wales.

We readily identify with the proposal to increase arts funding to, at least, the United Kingdom average. It is with eager anticipation that we await the response of the Minister of Culture, Arts and Leisure, whom we welcome once again to the Chamber. We look forward to the Minister's giving his view on the scope that he may have to secure extra and additional funding through the comprehensive spending review, which is likely to be in the news today.

Although I accept that Northern Ireland is playing catch-up, and clearly has, from its current position, a long way to catch up on England, Wales and, massively, per capita, on Scotland, the differences in funding among the regions may not be able to be narrowed in one leap. If the case to realise parity of funding with even one of the United Kingdom regions is to succeed, there would have to be much more money than is in the kitty at present, and likely to be in it tomorrow.

I hope that neither the proposers nor the Minister see this proposal as an ultimatum, but as the beginning of a realisation through negotiation to reach — in as short a time as possible — a situation whereby funding for the arts in Northern Ireland is on an equal footing with other regions in the United Kingdom. Of course, if the Minister tells us today that he can meet the increase of funding that is called for in the motion, let him intervene now as the bringer of great news. If not, let us hear what news, if any, he can bring us today.

The Ulster Unionist Party firmly believes that our country's culture, including world-class events, the community arts, and the cultural riches available in our libraries and museums, enrich our common lives as a society. As such, they require support and strengthening, with no dithering.

We see investment in the many facets of arts and culture as investment in people and in their quality of life. My party is pleased, therefore, to support the motion. The House should set down some markers for the Minister and the Executive, at least to give a target to meet or beat and to put Northern Ireland in touch with other United Kingdom regions.

12.00 noon

Amendment No 2, as its proposer indicated, is effectively out of date, and I will leave it at that. Amendment No 1 would pass the initiative back to the Executive, as its proposer said. However, it would do so without putting down a marker. That would weaken the case for an increase in arts funding. My party, therefore, prefers to support the motion and to send the

message that the House wishes to give the Minister on this important issue.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Tá na healaíona iontach tábhachtach ar fad, iontach tábhachtach do shláinte na sochaí ina bhfuilimid inár gcónaí. Téann said i bhfeidhm ar shláinte, ar shaol sóisialta, ar oideachas agus ar mheon an phobail, agus téann siad i bhfeidhm fosta ar eacnamaíocht na tíre seo.

I declare an interest as an amateur actor. I am aware, however, that there are many more professional actors and limelight-grabbers present in the House today. I do not put myself in the same category as them.

The arts are extremely important to the well-being of society. They impact directly on our social lives, education and health. Art also contributes to our economic well-being. It is an indictment of historic governance that the arts have fallen behind so badly in this part of the world. The arts are considered very important in the Republic of Ireland, Scotland, Wales and England. Why were we unworthy of proper investment under direct rule? We now have the opportunity to correct that, and I hope that the Minister will take appropriate action.

The increase asked for by the Arts Council is modest: less than £10 million per annum. A relatively small increase can produce substantial leveraged income for the arts, and the economy generally, through other investment opportunities, box office receipts and so on.

In direct economic terms, in 2005 the arts and creative industries employed nearly 35,000 people in over 2,500 enterprises in Northern Ireland. In indirect terms, the economic impact is more difficult to quantify. There is no doubt, however, that regions with a successful high-value-added tourist industry also have a thriving and dynamic arts industry. There is a positive, synergistic relationship between tourism and the arts. One relies on the other.

In a global economy, where this region competes with thousands of others for direct foreign investment, the arts are extremely important. When location decisions are being made, companies consider whether employees will locate and remain in the region in question. Often, senior managers and key personnel are required to move to the investment location. In high-value-added industries, key employees are extremely mobile. If they do not like a region, they will not stay; they will quickly move on. It is no accident that highly successful economic centres also have vibrant and properly-funded arts industries.

Economic advantage is gained through industrial and product innovation. It is often the case that market advantage is gained through aesthetic aspects of product design and marketing.

Often, technical functionality is expected as a given, and competitive advantage derives from the look and feel of a product. Such design is carried out by designers who live and work in centres where there are high levels of creativity. It is not by accident that Italian, French and Japanese products have distinctive and attractive aesthetic attributes that give them an advantage in the marketplace.

Most importantly, it is great for our children and grandchildren, our parents and ourselves to have the opportunity to enjoy the uplifting experience provided by music, art and drama. The arts are life-enhancing — often life-changing — and open up new ways of thinking. They take us from the mundane to the fantastic. The arts are most limited when they reflect our world, and most inspirational when they influence and shape our relationships with each other and how we view the world around us. I support the motion, a LeasCheann Comhairle.

Lord Browne: It is only right that the Assembly:

“recognises the critical role that the arts can play in promoting a positive international image of Northern Ireland, attracting visitors and growing the local economy and the contribution that community arts make to social cohesion”,

as the motion states. However, I support amendment No 1.

For over 200 years Northern Ireland has been a centre of cultural and academic excellence. From the mid-nineteenth century on, cultural activity, coupled with a proud tradition of academic excellence, has earned Northern Ireland many accolades. There is no doubt that, in more recent times, there has been a resurgence in cultural and academic achievement in Ulster.

It can be difficult to define what Northern Irish culture is, but there is no doubt that Irish culture, as epitomised by the Irish language, music, dancing and art, is a strong influence. Similarly, in the last 15 years Ulster Scots has undergone what can only be described as a revival, with more than 200 groups in existence throughout the Province.

There are other cultures in Northern Ireland that have not been tapped into or explored to their full potential — I refer to the new immigrant communities that have come into Northern Ireland, from central and eastern Europe, for example, bringing with them their cultures and traditions. Those communities must be cherished and built upon as a potential way of drawing visitors to Northern Ireland.

There is high culture and there is popular or mass culture, and the British Isles successfully displays a shared heritage of both, which can be enjoyed by people of all affiliations. Border and regional identifications are no barrier to the enjoyment of this common British culture. Equally, we must also recognise modern culture, as epitomised by artists such as Van Morrison

and Snow Patrol, who are enjoyed by millions of people throughout Northern Ireland, the Republic of Ireland and the United Kingdom.

Culture is a big business, and it can be turned to economic advantage. That said, art and culture help many people, and it must be encouraged at a local level, where money could be well spent. In my constituency of East Belfast, there is the Beat Initiative, which is a carnival and a community arts organisation that promotes art across the city and the communities, and seeks opportunities for young people.

There is a problem with arts funding. I say, with a little regret, that prudence must be exercised. Members could cite many projects that would benefit from an increase in their budget allocations. Sport has been mentioned in the debate; it, too, could benefit from an increase in budget per capita. In Northern Ireland, the expenditure per capita on sport between 2005 and 2007 was £5·31. Compare that with the amount that is spent on the arts, which is £6·13. Therefore, a little prudence is needed.

All methods of increasing the arts budget must be considered. That is why I support amendment No 1, which calls on the Executive to, at least, explore the means by which the level of arts funding could be increased. Society benefits from culture and the arts, and would be less well off without them.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. I commend Ms Lo and Dr Farry for bringing the motion to the Floor. I also want to commend the arts community, which has worked tirelessly for many years with a miserly budget. Without its vision, communities in some areas would be much worse off through deprivation and antisocial behaviour. That is why I proposed to the Committee for Culture, Arts and Leisure several months ago that an inquiry be held into expenditure on the arts and on what the arts mean to communities. Fortunately, the proposal was supported. I hope that the Committee will work on that process soon.

I disagree with Mr McNarry, who said that amendment No 2 is out of date. Barry McElduff and I tabled the amendment in the hope that this matter will be taken seriously and that additional funding can be made available to the arts community, because we are all its beneficiaries.

The figures that I am about to quote have already been mentioned in the debate. However, they are vital to the winning argument. The current spend per capita on the arts in the North of Ireland is £6·13, which is around 50% of what is spent in the rest of Ireland and Scotland, and two thirds of what is spent in England and Wales. I want to see expenditure here being brought into line with what is spent in the rest of these islands. Sinn Féin wants the spend per capita to increase to at least £10 per person.

There would be many benefits to society from a little extra investment in the arts. In my constituency of West Belfast, organisations such as Féile an Phobail have contributed to regeneration. The féile attracts many visitors every year, including the Culture Minister in 2007, and has generated millions of pounds to an area of high deprivation. Despite that, its funding has been cut over the past several years. The Dubbeljoint Theatre Company has presented many award-winning plays, and many of its young acting stars who were given their first breaks on the stage on the Whiterock Road are now regular faces on television. Consider what could be achieved if such organisations were given proper funding.

The murals throughout Belfast attract many thousands of visitors every year. Mr Bradley said that people visit from Italy and from elsewhere around the world. Visitors come to West Belfast from China and Japan to look at the murals. The murals must also be supported.

Many arts organisations assist with economic regeneration and social cohesion throughout the North of Ireland. It is essential that they are able to continue to do so in a properly funded environment. It is often left to the Arts Council to tell groups the bad news that the amount of money that is needed to deliver all of their projects is simply not available. The Arts Council has done an excellent job with the limited resources that it has. According to the Arts Council, projects have had to work during the past three years with a budget shortfall of £5·6 million.

Mr McElduff mentioned earlier that for every £1 that is spent on the arts, there is a return of £3·60. It is, therefore, hard to fathom why there is not more investment in the arts. With more investment, that return would be enhanced. More investment would mean more income for all areas, including those of high deprivation. It would mean more jobs and more tourists. It would mean that pride is instilled in communities and that more children are given the opportunity to take part in the arts.

It means more international recognition and possibly more acclaim for literature — for example, in the form of the Nobel prize. Work must be allowed to continue in the arts sector, but it is clear that more investment is needed. It is important that the arts budget for the North of Ireland is brought into line with budgets in the rest of these islands. That will allow the arts sector to grow and thrive, ensure that all of our communities can go from strength to strength and that we leave a legacy of which future generations can be proud. Go raibh maith agat.

12.15 pm

Mr K Robinson: While I have some reservations regarding the wording of the motion — due in no small part to the budgetary pressures that will shortly face all Members of the Assembly — I recognise, and fully support, the aspiration to reach funding parity

with that of the other devolved regions of the UK. That is clearly stated in the Ulster Unionist Party's policy manifesto.

We all bathe in the reflected glory of international recognition when "one of our own" makes it to the big time. Liam Neeson, Seamus Heaney, Barry Douglas, Van Morrison and Sir James Galway have held up the banner of excellence and focused the attention of the world on the positive, constructive side of Northern Ireland. At that same time, others were intent on giving their own version of Attila the Hun, by bombing and shooting over 30 sterile years, when the flame of artistic endeavour in the Province was in danger of being snuffed out.

The grotesque spectacle of the Grand Opera House, in the aftermath of bombing, was flashed around the world. Yet, the raw talent, enthusiasm and determination of this society to resist the philistines, triumphed. I pay tribute to the work of those in the performing and creative arts who weathered that stormy period.

Many Members have quoted various financial figures that highlight the dire situation of the arts sector, in its broadest sense. I will not go into those now. However, I call on the Minister, Edwin Poots, to apply maximum pressure on his colleagues in the Executive, to find the necessary moneys to raise the level of arts funding towards the shibboleth of parity. If any of them should be tempted to play the role of Scrooge, let him highlight the fact that, for every £1 invested in the arts, £3·60 is generated for Northern Ireland's economy.

With an employment figure of over 2,000 active in the arts, the sector is too important to neglect. Its growth potential is enormous. For too long the arts have been viewed, by many, as the domain of a select few. In the ranks of the chosen few, the temptation was to look down on the rest of society, who did not share their rarefied view of artistic worth. Such an attitude did nothing to achieve widespread sympathy and understanding for further arts funding.

Thankfully, today, outreach projects — and the development and appreciation of community-based arts projects — have helped to demolish those walls that needlessly divided the world of art and the world of creativity. That approach has helped to build confidence in communities and enabled them to discuss and explore their experiences. That, in turn, has further enabled them to tackle other more thorny issues.

I echo Lord Browne's appeal that the ethnic cultures, which are now present in Northern Ireland, should be supported. I referred, in my speech yesterday, to the successful Mela festival that was held in Botanic Gardens, which was attended by Anna Lo and me. Again, I commend it as a template for community involvement.

The most recent blow to arts funding occurred in March 2007 when a reduction of £4·5 million was

sought in order to divert money to the Olympic Games in London. That, on top of the historic lack of adequate resources for the arts, under the direct rule regime, has led to a crisis in that crucial sector.

Minister Poots noted on 19 September 2007:

"Public funding is needed to support and sustain our arts organisations which form the backbone of our creative economy."

He went on to state:

"Investment in arts and culture strengthens the economy and fuels economic regeneration by supporting local jobs and stimulating consumer spending."

Therefore, we must all play our role in relation to funding so that we can all enjoy those benefits.

I support the Minister's sentiments, and so does the House. It is now up to the Minister, not to rob Peter, but to persuade him to invest in the growth potential of our existing talent.

I support the motion.

Mr O'Loan: I strongly support the motion. The figures very much speak for themselves. Spending per capita in the year 2006-07 was as follows: in the Republic of Ireland, £12·61; in Scotland, £11·93; in Wales, £8·80; in England, £8·19; and in Northern Ireland, £6·13. It is not good to be at the bottom of that league table.

Sometimes what we get back more than compensates for what we spend. That is the case with the arts, both in social and economic terms. Take, for example, the success of tourism in the Republic of Ireland and Scotland — their tourism sectors input greatly to the economy. By contrasts, we lag hugely behind. It can be no coincidence that those areas spend the most on the arts.

The Arts Council is requesting an increase in funding of £26 million over the CSR period, which would bring our per capita spending up to £11·55 per annum, similar to that in the Republic of Ireland and Scotland. We should aim at getting that level of spend.

The arts have a huge role to play in society and in tackling social disadvantage. The motion rightly outlines that role, and other Members have mentioned it, too. I welcome the recent shift towards funding for the community arts, although the high-level arts must not be neglected as they have a significant role to play. In England, the simple creation of a choir in a disadvantaged run-down estate did a huge amount to turn around that community's lack of confidence. Sometimes non-typical approaches to problem-solving can be adopted, and, just like that approach, they can be very successful. Here, drama and film have been used to explore and spread an important message about domestic violence. Therefore, there is the potential for major payback. We know that a lack of social cohesion

results in huge costs, and that can often be addressed by developing well-targeted arts programmes.

Recently the chairman of the Ulster Bank, Dr Alan Gillespie, made important comments on what attracts foreign direct investment to a country. He mentioned four or five factors on which investors reflect when making their investment decisions, and among them was the presence of a rich cultural environment. Thus, our flagship projects, such as the Lyric Theatre and the Ulster Orchestra, play a part in creating that environment, as does the local provision of music and drama education for children, and so on. We must build on that if we are serious about playing an important role in the international community.

I welcome Ken Robinson's remarks about Liam Neeson. I hope that the day will come when we properly recognise what Liam Neeson has done for Ballymena, and for Ireland as a whole. Work on a new museum, arts and civic centre in Ballymena is nearly completed, and some £20 million has been spent on it. I welcome the departmental contribution to that project, to which the Minister referred yesterday. I have no doubt that that will encourage a huge flood of community arts activity; in fact, such activity is already starting to happen.

For example, a Ballymena Chamber Orchestra has recently been formed. That classical orchestra comprises a small number of professionals and a large number of ordinary community members. They have enhanced their standards beyond all recognition. There is nothing airy-fairy or ivory tower about this orchestra — it works in the community and in disadvantaged areas and visits schools, getting youngsters excited about music that they might not have been excited about before. That is all marvellous.

There are other significant community arts projects in the areas. Ballymoney has a strong and continuing tradition of involvement in drama. There is also has a strong interest in traditional music, which is promoted by groups such as Comhaltas Ceoltóirí Éireann and others. Interestingly, the music played in north Antrim is very influenced by Scottish traditional music, and there is a great deal of interaction between those two areas. Thus, the arts have a crucial role to play with regard to their contribution to quality of life and potential contribution to the economy. We must therefore invest more money in them.

The Minister of Culture, Arts and Leisure (Mr Poole): I thank those Members who tabled both the motion and the amendments for demonstrating their interest in such an important subject. I agree with the points that have been made about the positive role that the arts can play in society, which is not always highlighted when funding for the arts is debated in the media or elsewhere.

Since taking up office in May I have spent a great deal of time in meeting a wide range of arts providers, from community-based voluntary arts groups to the professional arts organisations. I have listened and learned, to get a feel for the issues that have an impact on the arts sector, and to see for myself the positive benefits that are derived from the arts. I fully appreciate that, for some considerable time, there has been a historical deficit in arts funding in Northern Ireland. Arts Council funding has been pegged at about £11 million since 2002 without much change. Other Members have already highlighted the disparity with other parts of the United Kingdom and the Republic of Ireland. In some places, Northern Ireland funding for the arts amounts to only half of that provided elsewhere.

We are already behind, and the 2012 Olympic Games will further reduce lottery funding available to the arts. We will lose £1.5 million per annum from 2008. The Arts Council's income from the national lottery will have dropped from a high of £10.3 million in 1997-98 to only to £4.5 million in 2011-12. That represents a significant loss to the local economy.

Following the last two rounds of national lottery applications, requests from arts organisations totalled over £10 million against available funds of just under £3 million. That gives an indication of the funding shortfall. Inevitably, many good projects and organisations will be disappointed as a consequence of not obtaining funding, because the Arts Council simply does not have the money to distribute.

The per capita figures that have been quoted relate to revenue funding, and do not include the recent investment in capital funding in the arts infrastructure. In the 2004 comprehensive spending review, the Department of Culture, Arts and Leisure secured £18 million in ISNI 1 (investment strategy for Northern Ireland), which was primarily intended to address the deficiency in Belfast's arts infrastructure that was identified following the unsuccessful bid to be European Capital of Culture. Including arts lottery funding, the Department has invested £6.3 million in the redevelopment of the Grand Opera House; £8.25 million has been allocated to a new Lyric theatre, and a further £8.25 million to the new Metropolitan Arts Centre which will replace the Old Museum Arts Centre (OMAC). Almost £4 million was earmarked for the refurbishment of the Crescent Arts Centre, and £2.7 million for the Ulster Hall. Therefore, there is potential to improve the arts infrastructure in our capital city and it should be an exciting time.

As I said yesterday, however, we require support from other sources to ensure that those capital projects go ahead. I have to make it abundantly clear that if that support is not forthcoming, it is likely that some of those projects will fall. That is for others to consider. There has been some success in the regions. Capital

infrastructure has been well supported; for example, Ballymena Borough Council paid for 66% of the cost of a new arts centre, and Omagh District Council invested £3 million in its new arts centre — 28% of the total cost. In my own constituency of Lagan Valley, Lisburn City Council contributed 94% of the cost of the Island Arts Centre. There is investment to be made in capital infrastructure for the arts, and benefits to be derived from that investment.

I want to comment on where the arts come into the scheme of benefits and other Departments. Some people see the arts as the cherry on top of the icing. I do not even see the arts as the icing on the cake, but as part of the mixture that makes up the fabric of Northern Ireland, and what it can deliver.

12.30 pm

With regard to economic development, for example, some 33,500 people are employed in the creative industries and in arts-related occupations. That represents about 4.6% of the population. If we were to emulate what has been achieved in the rest of the United Kingdom, we could create another 11,000 jobs in that industry. If we want to attract high-quality jobs to Northern Ireland — and we do — the arts have a key role to play. People who are employed and have a good disposable income will want to spend that income on attending quality events. The arts have a key role to play in that. In the not-too-distant past, I was aware that a company that was considering coming to Belfast chose in the end to locate in Edinburgh simply because the arts infrastructure was better there. The people that it employed had a very strong disposable income and wanted to go to a city where there were plenty of events in which they could participate.

The arts sector improves the attractiveness and image of Northern Ireland and provides a key product that contributes to tourism development. Major arts and cultural events supported by the Northern Ireland Events Company in 2005 generated 25,000 additional bed nights. It is my desire that venues such as the Grand Opera House — and the Lyric Theatre, when it reopens — should be open all year round. However, they cannot do that if they do not have the funding. Ultimately, if we want to make Northern Ireland a tourist destination for 12 months of the year, we need the arts to make that contribution.

The arts support learning, education and training, and that contributes to economic development as well. The Arts Council of Northern Ireland has used the arts to promote education among children and young people. In particular, the creative youth partnerships have involved over 13,000 children and young people and 130 artists in Northern Ireland. That initiative has helped to strengthen links to the curriculum and provide high-quality educational experiences. Projects

such as the Nerve Centre, AmmA and Studio ON provide real benefits to education as they demonstrate to our young people the opportunities that are available in the creative industries.

The arts sector promotes improved health outcomes and can often act as a preventative measure. I talked about how sports can contribute to health; however, art can contribute to health as well, particularly for older people and those with disabilities or mental-health issues. People's mental health can be assisted and improved as a consequence of having the opportunity to engage in the arts. In a survey carried out by the Mater Hospital, 88% of patients described arts activities as beneficial.

As well as promoting general economic development, the arts can act as a driver for local regeneration in both urban and rural areas. Over the past 10 years, funding to the arts has helped to establish nine new cultural buildings in towns and cities across Northern Ireland, with plans for further developments. The Cathedral Quarter in Belfast city will largely be successful on the back of the arts.

The arts sector has high levels of participation across a range of social groups and ages in Northern Ireland and contributes towards addressing issues of social inclusion and participation. Statistics show that, between April 2005 and March 2006, 47% of residents aged 16 and over had participated in or attended an arts event. The arts sector has high levels of participation among people with disabilities, and, according to research carried out by the Arts Council, 82% of the population with disabilities have expressed interest in one or more art forms.

That is a demonstration of the benefits that the arts can provide to the wider community, and that is critical. Mr O'Loan referred to Alan Gillespie's comments, and that ties in quite neatly with what I said about the experience of the company that chose to go to Edinburgh, as opposed to Belfast. The arts are critical to the desire of this Government to deliver a stronger economy for the people of Northern Ireland.

Cultural tourism is the fastest growing segment of our tourism industry and, last year, 224,000 people engaged in cultural tourism activities. Earlier this year, the Rediscover Northern Ireland programme provided us with an opportunity to attend the Smithsonian Folklife Festival in Washington DC to demonstrate Northern Ireland's wares and show the United States of America the quality of our arts and culture. That showcase was hugely successful and, since then, the United States has shown a lot of interest in what we are doing in Northern Ireland. Many outdated, Northern Ireland stereotypes were challenged, and we showed that we were a creative, confident and outward-looking people, capable of partnering with businesses, organ-

isations and people from all sections of the community. We also showed that, for some individuals, Northern Ireland has a lot more to offer than what might initially meet the eye.

I want to develop Northern Ireland as a world-class creative and cultural region, generating wealth and sustainable employment opportunities in the creative industries. We have made it very clear that, the arts are critical to many aspects of Northern Ireland; therefore, arts funding is of critical importance. A significant shortfall has been identified, and a case has been made for that in the comprehensive spending review. I have listened to my colleagues, and for example, to what the Deputy Chairperson of the Committee for Culture, Arts and Leisure, Mr McNarry, had to say about his party's support. That is not always reflected by his ministerial colleagues; some of the more negative comments about arts funding perhaps have come from that source.

We need to get together and identify how we, as a Government, can deliver more from the central pot, and how local government can deliver more. We must look to the corporate sector and to private sponsorship because, in many other cities and regions, the private sector makes a far greater contribution to the arts. It is not simply about giving money away — there is something in it for business. There is significant benefit —

Dr Farry: In light of the Minister's discussions with his colleagues, has his Department, through the CSR, made a formal bid to bring spending on the arts in Northern Ireland in line with the other regions of the United Kingdom?

Mr Poots: The answer is yes, and the Member should not have expected any other answer. It would cost around £26 million over the three years of the CSR. I do not need to tell Members that this is a very tough negotiating round, and we shall see what comes out of it. What happens today will have some impact on the announcement at Westminster on the CSR.

I support the spirit of the motion and of both amendments. For all the reasons that I, and other Members, have outlined, investment in the arts is a sound investment for Northern Ireland. It is important that local government and private funders step up to the mark along with central Government. Members can rest assured that I have made the case very strongly in the context of the CSR, and I very much value the many contributions made by the arts to Northern Ireland, its society, and its economy, as illustrated in the speeches this morning.

Mr Deputy Speaker: Thank you Minister. Members will be aware that the Business Committee has arranged to meet as soon as the Assembly suspends for lunch.

I propose therefore by leave of the Assembly to suspend the sitting until 2.00pm, when we will have

the winding-up speeches on the motion and on the amendments. The sitting is by leave suspended.

The sitting was suspended at 12.39 pm.

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

2.00 pm

Mr Brolly: I had prepared a pre-lunchtime address, so I will be brief. Go raibh maith agat, a LeasCheann Comhairle.

I want to deal not so much with arts funding but with where the Arts Council directs its funding. I have been at various Arts Council meetings over the years, and at one such meeting, I made the point that its promotion of the arts should be more proactive and dynamic. It seemed to me that the council simply doles out any funding that it receives to people who promote the arts. It even passes the buck to the Events Company, which doles out money on its behalf.

I understand the reason that that is the case. It is probably linked closely to the fact that the funding is not available and that the council works on a shoestring while doing as much as it can. Therefore, I look forward to the Arts Council's receiving extra funding — and I hope that it will get the sum that it seeks — so that it can become more proactive. The Arts Council is different in nature from the body that was known as the Sports Council; at sporting events, the Sports Council has a certain presence. However, people do not get a sense of an Arts Council presence at arts events. If the Arts Council adopted the same kind of promotional attitude as the Sports Council, people might show more interest in, and be more enthusiastic about, the arts.

Last night, I listened to an interview with Anna Lo, one of the proposers of the motion. I predicted the question that the interviewer would ask her when she said that the arts needed an extra £6 per capita. I said to the person who was in the car with me that the interviewer was going to ask whether that money would not be better spent on schools or hospitals. We must get that attitude out of our minds. I have an image of hospitals and schools being soulless places. These days, compared with when I was a young man, schools and hospitals are soulless. Local schools and hospitals used to have souls, but now they just have bodies. That is a good reason for the Arts Council to receive extra funding — it can use it to add soul to schools and hospitals.

My second — and last — point is that it is important for us to sustain and encourage North/South co-operation in the arts. That would give everyone a wider geographical and cultural area of interest.

Many benefits have come from North/South co-operation. I mention a very good initiative called Turas/Journey, which is a North/South funding initiative to encourage individuals and group performers in all areas of the arts. Such initiatives are useful even from an economic point of view, because, when Dublin is

involved, it usually contributes a wee bit more money than we do. Apart from that, widening people's perspectives and giving them a greater opportunity to enjoy artistic things is beneficial.

I am sorry, but I do not know whether we have yet heard the Ulster Scots for Turas/Journey from Nelson.

Mr McCausland: Three Ulster-Scots translations for "journey" are "stravaig", "gang" or "rake".

If we are to broaden the vision, we should be inclusive, not insular. To think about one island is to be insular. We must take a broad-minded and comprehensive view, which means embracing all the islands — the entire British Isles. Let us look east to Scotland as well.

Mr McElduff: Did Nelson previously offer "dander" as another alternative?

Mr McCausland: It was a possibility, but I thought that three alternatives were enough. I did not want to overpower people.

Mr Brolly: Will the Members give way?
[Laughter.]

I shall conclude very soon, because most of the points have already been made. The Turas/Journey initiative is as inclusive as any initiative can be. I attended its launch, at which Ulster Scots and Irish were represented. Indeed, anything that could have been represented was there. I appreciate what Nelson has said about embracing all the islands. We can travel across the water to enjoy morris dancing, and perhaps even learn a bit of it. Everything cultural is good, from wherever it comes in the world.

Mr D Bradley: When the Member refers to crossing the water to enjoy culture, does he include the Scottish Gàidhealtachd in that? We heard yesterday about the worthy Colmcille initiative that was organised on Iona and Mull.

Agus ba mhaith liomceist a chur ar an bhall an aontaíonn sé liom gur choir an gaol sin idirgaeltacht na hÉireann agus gaeltacht na hAlban a fhorbairt agus a threisiú.

Does the Member agree that we should do all that we can to encourage arts links between the Gaeltacht in Ireland and the Gàidhealtachd in Scotland?

Mr Deputy Speaker: The Member literally has 10 seconds.

Mr Brolly: Aontaím go mór leis an bhall eile agus gor raibhmíle maith agat, Dominic. I have little more to say. Go raibh míle maith agat, a LeasCheann Comhairle.

Mr Shannon: I support amendment No 1, which I urge Members to back.

The benefits of the arts in Northern Ireland as a means of expression are important. Indeed, those benefits are essential. Many famous poets and artists

from Northern Ireland gained their inspiration from — dare I say it? — the beauties of Strangford, so I readily enjoy seeing pieces of art on display that give me a taste of home.

Undoubtedly, art has been the vital means of expression and release in the rehabilitation of many in the Province. The fact that 88% of people in the Mater Hospital felt that crafts helped them to recuperate should come as no surprise. People are made aware that they can do something useful and therapeutic, whether that be to make Christmas cards, to dedicate a piece to the memory of a loved one, to erect a monument that represents a loss of life or to paint a mural that depicts history — but that does not glorify terrorism. There is a major difference there.

Arts and culture are vital to our children's development. It gives them an outlet for expression other than rage or bad behaviour. Ask any youth leader in the Province how he or she guarantees good behaviour from a group: the threat of their not getting to do craft. Children and adults alike enjoy working with their hands to achieve something beautiful, so that must be encouraged. For that reason, 75,000 children in the Province participate in art workshops. In my constituency alone, many workshops are held, not only in Newtownards Town Hall but right across the entire Ards Peninsula. Moreover, art classes are held in the techs, and classes are taught on the intricacies of knitting and crocheting — skills that I dare say elude many of us in the Chamber. I certainly would not possess them.

Historically, Strangford has produced superior poets, authors, artists and craftsmen. That must be fostered and maintained.

Everyone present will have heard me use the Ulster-Scots language in the Chamber and will know the importance that I, and many of my colleagues, place on our cultural identity. Recently, Newtownards celebrated the four-hundredth birthday of the Hamilton and Montgomery settlement, and many events were co-ordinated to celebrate that.

Mr Campbell: The Member has, on occasion, used Ulster Scots in the Chamber, but will he accept that the difference between his use of it and others' use of Irish is that he does not use it every single time he gets to his feet, in order to make a political point?

Mr Shannon: I thank the Member for his intervention; it is quite clear that I do not use Ulster Scots every time that I speak, and I do not use it for political means.

We in Ards Borough Council saw the four-hundredth anniversary of the Hamilton and Montgomery settlements as an opportunity to remember our history, as a way to enjoy our culture, and as a drawing point for tourists. Judging by the expressions on people's faces as they enjoyed the theatre, the crafts and the history of

how Ards and Strangford have developed, a great time was had by all.

One needs only to take a drive around my beautiful constituency of Strangford to see that the lack of money is leading to serious accidents on the roads. That is why the DUP amendment is important. One needs only to sit and wait in the Ulster Hospital to realise that the Health Service is understaffed and underfunded. One need only sit in the library in Ards, which holds 40 people, or go to our schools to witness the problems that arise from a lack of funds, and to see that there are areas in the Province that must be given priority in a wholehearted allocation of funding.

Although it is important for children to be able to express their talents and gifts, it is crucial that they can sit in a classroom that is equipped to meet their needs, and that they can go to a library that will enhance their basic literary skills. As important as good funding is in boosting tourism, it is essential that the infrastructure can bear the weight of the load. As amazing as the results of rehabilitative arts expression are, it is imperative that the correct drugs and treatment can be recognised for each patient, and afforded accordingly.

It would be great to be able to afford to do everything; to have the perfect country with enough funds to ensure state-of-the-art hospitals and schools alongside artistic forums, workshops and dedicated facilities. However, Northern Ireland is not that country; at least, it is not yet. I have no doubt that a time will come when our nation's investment portfolio is greater, when our tourism potential is explored, and when we get all the benefits that that will bring. At that time, the funds will be available to invest greatly in young, individual artistic talents. However, that day is not yet here, and the essentials must take precedence.

As a member of the Committee for Culture, Arts and Leisure, I would love enough money to be available to support all of the applications for funding that are made. However, that is not possible, so we must strive for the most and excel with what we have. We can do that. I support the Minister of Culture, Arts and Leisure in his bid for the extra £26 million for arts funding over the next three years, because that gives an indication of what he is aiming to do, and it gives the Committee a chance to support him.

I support the amendment, which recognises the importance of arts funding in Northern Ireland, but also identifies the fact that there are pressing needs that must take priority if we are to develop as a nation. I support amendment No 1.

Dr Farry: I welcome the vast majority of the comments that have been made in the debate. It has been a constructive debate, although Members have, at times, wandered into the next debate.

All parties, and especially the Minister, accept that, per capita, the arts are underfunded in Northern Ireland, compared to every other region of the United Kingdom, and compared to the Republic of Ireland. There is no need to repeat the figures, but they are revenue-based, and additional capital investments should be taken into account when arts funding is considered. Parity with the rest of the United Kingdom to meet the UK average requires an investment of £26 million over the course of the forthcoming comprehensive spending review period. I am pleased that the Minister has today confirmed that DCAL will make a specific bid for those funds in the comprehensive spending review.

The Minister made a strong case for the Alliance Party's motion during his speech. I hope that the Assembly will approve the original motion. If it does so, the Minister's efforts to persuade his Executive colleagues to come up with that money will be reinforced.

2.15 pm

The Assembly is not asking for something unrealistic or off the wall but for something that the Department has put on the agenda. Unfortunately, the Alliance Party cannot support amendment No 1, because it ducks the core problem of underfunding in Northern Ireland relative to other regions. The issue of parity must be addressed in the short term and as quickly as possible.

The DUP Members who spoke reflected the essence of the motion. When the Minister spoke, he effectively made a bid for the money to which the motion refers. Rather than blurring the issue, there are advantages in DUP Members weighing in behind their Minister in order to reinforce his efforts around the Executive table. There is a real advantage to be gained by the Assembly's speaking in a clear, united voice.

I must slap myself on the wrist and apologise to Barry McElduff, who proposed amendment No 2, for not sufficiently reflecting the Irish dimension in the original motion. The motion tried to place Northern Ireland in the context of overall UK public expenditure. However, Anna Lo and other Members, including Mr McElduff, referred to the figure of £12·61 — or its euro equivalent — that each person in the Republic of Ireland receives in arts funding. It must be recognised that people in the Republic are even further ahead of people in Northern Ireland in arts funding per capita. The North/South and all-island dimension to the arts must also be acknowledged. Many facets of the Irish story of arts and culture can be marketed to the world. That point has been well made, and I accept the criticism of the original motion.

That said, the reference made in amendment No 2 to arts funding of £10 per person perhaps sells Northern Ireland somewhat short, given the loss of the National Lottery funding for the arts. To achieve parity in arts funding, the figure per capita in Northern Ireland would

now be £11·55. Given my comments on the Irish dimension to arts funding, it would be advantageous were Sinn Féin to withdraw its amendment and back the original motion.

During the debate, Nelson McCausland referred to the Smithsonian Folklife Festival in the United States. I agree that that was a tremendous demonstration of the creative arts in Northern Ireland. I also fully accept his points that the Orange culture must be incorporated into the arts and that alternative funding streams must be considered.

Much has been made of the fact that the Arts Council is the main recipient of funding. Although the Arts Council is in the driving seat and has made the strongest arguments for additional funding, it should be recognised that other sectors in Northern Ireland contribute to the creative arts. The motion made no specific reference to the Arts Council; it dealt with arts funding in general rather than specific funding for a particular organisation.

Several councils throughout Northern Ireland make strong interventions in support of the arts. Mr McCausland criticised North Down Borough Council, but I reassure him that North Down is at the cutting edge of the arts. In my capacity as Mayor of North Down, I recently attended a concert by Camerata Ireland and Barry Douglas. Moreover, the annual Aspects Irish Literature Festival was held in my constituency at the end of September. The council is working to secure a new theatre and multi-purpose venue in the near future. On the back of that, the council will increase the amount of money that it diverts towards the arts.

Barry McElduff mentioned the sandy beaches of west Tyrone: I am not sure where they are, but I look forward to sunbathing there in the future. However, he made the important point that for every £1 invested in the arts, the benefit to the economy is £3·60. If anything, that may be an underestimate.

David McNarry said that the Assembly is setting a target and a challenge for the Minister on arts funding. That should not be perceived as an ultimatum to the Department. The motion does not try to back the Minister into a corner but to reflect concern about a critical issue and achieve some consensus in the Assembly that should aid him in his efforts.

I look forward to seeing Dominic Bradley's acting ability being put to good use in the future. He made useful points about tourism potential on the back of arts and the importance of arts investment in the context of the global economy. He referred specifically to the importance that countries such as Italy and France place on high-quality design to create high-value products. Northern Ireland can learn lessons from that.

Lord Browne referred to the history of creativity in this part of the world, and to the benefits of groups

such as Snow Patrol and Van Morrison putting Northern Ireland on the international map. On 1 September, 30,000 were people in Bangor for the Snow Patrol concert.

Paul Maskey referred to Féile an Phobail, which is an excellent example of a community arts festival. It has been a tribute to the ongoing work in west Belfast, and, as we move out of conflict, has done much to create a positive image for that community.

Ken Robinson mentioned a host of names who have benefited from arts funding in Northern Ireland, and who, in turn, have played a crucial role in promoting its international image. He also referred to the Grand Opera House, and it is worth reflecting that it was a beacon of hope in Belfast during the Troubles. The Grand Opera House, at the start of the golden mile, is the centre of so much investment and spin-off in Belfast.

Declan O'Loan referred to how areas that invest in tourism also invest highly in the arts. Surely there is a link there. He also referred to the importance of providing a rich, cultural environment in which to attract foreign direct investment.

The underfunding of the arts is not the fault of the Assembly, but a legacy of the past. We now have an opportunity to put things right. That underfunding illustrates that there are structural problems in our economy, and it is one of the many areas where we will come across major distortions in public expenditure that are having a detrimental effect on our ability to grow as an economy. There are a range of reasons for investing in the arts — social benefits; health and education; helping people with disabilities, including the visually and aurally impaired; dealing with mental health; community engagement; and promoting a shared future. Two thirds of art activity is, in fact, cross community.

In conclusion, I shall focus on the financial and economic aspects. Investment in the arts can be viewed as a major investment in our economy and future prosperity for us all. As Anna Lo stressed at the beginning, the sums involved are small in the context of the overall budget. However, the investment that we make on the back of the motion could have a disproportionate positive effect. In the 1820s, an English political economist, David Ricardo, set out the theory of comparative advantage: Northern Ireland has a comparative advantage in the creative arts. It is something that we are good at, and we should develop that to its full potential. We have the excellent talent — we have mentioned the names already — and we have the culture and the heritage on which to capitalise. We should, arguably, try to build on those areas at a rate ahead of the UK average.

As the Minister has stated, the Arts Council supports about 2,500 jobs. It is larger than any other industry in Northern Ireland. The arts underpin a wider range of

creative industries, including design, architecture, fashion, marketing and the media, which amount to around 33,000 jobs. As the Minister has said, that is only 4·7% of our economy, whereas the UK average for those industries is 6·8%. Again, there is huge potential to build on that. Artistic output goes further in branding Northern Ireland. Not all investment in the arts will work, but some investment will produce huge gains for Northern Ireland. That investment is a form of research and development. Overall in Northern Ireland, research and development is a major problem, and we should invest in that for everyone's future.

Mr Deputy Speaker: Before I put the Question on amendment No 1, I advise Members that if amendment No 1 is made, amendment No 2 will fall, and I will proceed to put the Question on the motion as amended.

Question, That amendment No 1 be made, put and negatived.

Question, That amendment No 2 be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly recognises the critical role that the arts can play in promoting a positive international image of Northern Ireland, attracting visitors and growing the local economy and the contribution that community arts make to social cohesion; expresses its alarm that the arts are relatively underfunded per capita in Northern Ireland compared to all other regions in the United Kingdom; and calls upon the Executive to raise the level of arts funding to at least the United Kingdom average within the forthcoming Comprehensive Spending Review.

(*Mr Speaker in the Chair*)

2.30 pm

Irish Language

Mr Speaker: A valid petition of concern in respect of the motion was presented to me on Monday 8 October 2007. Having checked the petition, I regard it as fulfilling the requirements of Standing Order 27, thus allowing the vote to take place at the conclusion of the debate. Members wishing to inspect the petition of concern may do so in the Business Office.

The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members will have five minutes. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes to wind up. The vote on the motion will be on a cross-community basis, whereas the vote on the amendment will require only a simple majority.

Mr McNarry: I beg to move

That this Assembly reaffirms its support for the recognition given to the Irish language and Ulster-Scots culture through Foras na Gaeilge and Tha Boord o Ulstèr-Scotch as an equitable framework for the expression of these linguistic and cultural traditions; objects to the proposal for an Irish language Act in light of these arrangements; and calls on the First Minister and deputy First Minister to request all members of the Executive Committee to recognise the sensitivities of using the Irish language by refraining from its use in the Assembly Chamber, in Committees and in written communication with MLAs.

At the outset, Mr Speaker, I should state that I accept the amendment. Nine years ago, the Ulster Unionist Party concluded that the 1998 arrangements provided for an equitable framework through which due recognition would be accorded to the Irish language and the Ulster-Scots culture. That matter should have been left at that juncture to allow Tha Boord o Ulstèr-Scotch and Foras na Gaeilge to develop. However, as Members know, the promotion of Irishness was never going to be left there. The 1998 arrangements were seen as merely a means to ram home the abrasive side of republicanism, based on the sentiment that they should bank what they have got, then push hard and demand more.

I see a smile on the face of junior Minister Kelly. I do not know whether he is here to speak in response to the motion, but I hope that he will be speaking for OFMDFM, not for his party.

Since 1998, unionists have been subjected to having the Irish language forced down their throats in an uncompromising and adversarial way. How disappointing it is, therefore, in our country — blessed over a short but unique period of history in the United Kingdom, in

which we have contributed to the society of a Union that flows with a rich diversity of cultural traditions and where, in recent times, we have embraced a growing range of ethnic minority traditions — to find conflict manufactured by an Irish-speaking minority, as represented in the House by Sinn Féin, which is forcing an obscene aggression of deliberate defiance right smack into our unionist faces.

The motion reaffirms support for Foras na Gaeilge and Tha Boord o Ulstèr-Scotch. It aims to unite — not divide — the House on current arrangements and to continue to support the significant commitment to fund both bodies. It neither imposes nor implies any threat to the agreed equitable framework; indeed, it is wrong for anyone in the House to suggest otherwise.

The Ulster Unionist Party has not shifted and does not intend to shift its position on the introduction of an Irish language Act. In our opinion, the 1998 arrangements remain the best means of respecting our cultural diversity, of contributing to community cohesion, and of promoting good community relations.

Decisions that were taken at St Andrews were not agreed by the Ulster Unionist Party, but, whatever the truth about who agreed to what, the decision that was taken in itself has served to be profoundly unsettling for unionists and has potentially damaging implications for both community and Assembly relations.

I have no doubt that the responses that the House will hear will be the laments of those who are unwilling to compromise and be practical about the issue. Compared to the lengths that unionists have come since the introduction in 1998 of the arrangements that had the aim of reflecting respect for cultural values and traditions, the lamenters' tunes are old, familiar and played out, and they no longer stack up or impress anyone.

What did the myth makers behind the consultation process try to get away with? They told us that an Irish language Act would have no adverse impact on those who did not speak Irish. However, in this place, even without an Act, unionists are constantly experiencing the effects of an adverse impact, and today we are plainly saying to you that we are having no more of it.

The scribes of scribble and deceit also suggest dangerously that the proposed Act would help build support for, and understanding of, the benefits of promoting and protecting the Irish language. Even those on the opposite side of the House do not believe such nonsense. It completely ignores the political, social and cultural reality that the Irish language is not — I repeat not — viewed as a neutral form of cultural expression.

Look at the sinister side of the Act. Despite the admission by the draftsman that the current demand to have public services delivered through the medium of Irish is, at best, relatively modest, it is proposed that

public authorities be duty-bound to prepare a language scheme.

What about the cost? There has been nothing but a failure to even estimate with any accuracy the cost of introducing the legislation. How would the avalanche of Irish-language strangulation be paid for? Will the funding come from cuts in hospitals, or will there be more school closures? Will you take it from the farmers, Ms Gildernew? Will the teachers, parents and pupils pay for it, Ms Ruane? How about putting a cap on social housing, Ms Ritchie? Will the road works be slashed, Mr Murphy? Tell us that.

People have asked me why I have thrown Executive Ministers into the mix over the Irish language. The truth is that I have not thrown anyone into the mix: it is well stirred up, and I am responding to it.

The Ministers' inclusion is a serious issue. I was prompted to include them because on 19 July 2007, the Minister of Education wrote to update me on RPA proposals on the education sector that the Executive accepted. The second page of her letter was all in English, but half of the first page — and half of the last page — was in what I assume was Irish. Obviously, that Minister is incapable of writing in English only. I wrote back saying:

"I find your communications inclusive of Irish intimidating, disrespectful and off-putting. I would respectfully request that in future you would correspond with me in English only."

To date, I have not received a reply to my letter, let alone an acknowledgement.

Hansard records the same Minister, in her opening remarks on the classroom assistants' dispute, which covered 11 paragraphs, speaking in Irish for what I assume was more than 30% of her allocated time. I did not understand any of it. I noted that the Minister did the same thing yesterday.

I am aware of Standing Order 73, which states:

"Members may speak in the language of their choice."

I accept that Members have endorsed their nomination to hold office in a British regional Assembly, and also being Members, may speak in the language of their choice. However Standing Order 73 does not state that Members can communicate in writing in the language of their choice. Therefore, in light of the obvious unionist sensitivities over speaking in Irish, it seems reasonable and forthright to ask the First Minister and his deputy to take stock of those sensitivities, to recognise the serious implications of such, and to request that Ministers refrain from using Irish in the Chamber, in Committees and when communicating in writing.

There is really nothing to get het up about. However, by judging the unwarranted charges tossed about by Sinn Féin, the word "request" seems to have been overlooked. There is no demand, just a request. There

is no abuse of anyone's rights, and I reject outright any attempt by any republican to slur any unionist by branding him or her a bigot over the issue. Make no mistake: what has been presented here is a clear, definitive signal that unionists are fed up with the Irish language being thrown in their faces.

Many a time we have been asked to look to the Republic — indeed, we were asked to do that today. I have looked to the Republic, and I am grateful to the Bills Office of the Houses of the Oireachtas. The kindly people in the Houses of the Oireachtas have given me the following information: in 2006, 65 English-only Bills were published; five bilingual Bills were published; and no Irish-only Bills were published. Up to 2 July this year, 41 English-only Bills were published, and no bilingual or all-Irish Bills were published. Not once did a Member of the Houses of the Oireachtas produce, present or publish a Bill in Irish only.

On that formidable and conclusive evidence, I rest my case. I ask the House for its support.

Mr Speaker: I remind Members of two matters. First, the junior Minister is present to represent the Office of the First Minister and deputy First Minister. Secondly, the remarks of Members must be made through the Chair. Members should have the courtesy to do that.

Mr McCausland: I beg to move the following amendment: After 'Ulster-Scots' insert: "language and" and after 'MLAs' insert:

"and requests that the Official Report uses the same policy for recording the opening words of speeches when they are spoken in Irish as when they are spoken in English."

I am grateful to Mr McNarry for accepting the amendment. Minority languages are part of the cultural wealth of any country, including Northern Ireland. Here in Ulster, we have two minority languages that are indigenous to this place — Ulster Scots and Irish.

The difficulty for many of us is that what should be cultural wealth has been turned by Sinn Féin and others — they are not alone — into a cultural weapon. I believe that the way forward for minority languages is found through the European Charter for Regional or Minority Languages and through the Government's strategy, 'A Shared Future'. 'A Shared Future' sets out a vision for Northern Ireland of equality and diversity. The European Charter for Regional or Minority Languages sets out a linguistic framework for language development.

Under the previous devolved Government, there was a substantial disparity in funding, support and commitment regarding the two languages, in that vast resources were pushed into the Irish language through Foras na Gaeilge, whereas very limited resources, coupled with

many imposed difficulties, went to the Boord o Ulster-Scotch.

Therefore, the concept of equality was not there.

2.45 pm

As a result of funding and support during that period, there was capacity to employ a range of workers and build up a head of steam in order to demand an Irish language Act. One must only consider the amount of public money that was paid into organisations such as Pobal to run that campaign. It was no wonder that thousands of signatures could be collected and that events and conferences with international speakers could be organised — it was all done with public money. Unfortunately, the Ulster-Scots community was not supported in the same way.

In the European Charter for Regional or Minority Languages, Ulster Scots has part II status. We can now move forward, and, in a few years, we will be at a point at which Ulster Scots will achieve part III status — on the same level as Irish and entitled to the same provisions. There will be real equality then.

In 2002, under the previous devolved Government, the DCAL adviser on minority languages, who was employed as a consultant, produced a plan to promote the status of Ulster Scots from part II to part III. Tragically, that document sat in the Department of Culture, Arts and Leisure, and no one bothered to do anything — it was forgotten. There was no mention of it when the DUP asked for feedback from the inter-departmental charter implementation group. Was it sent to a working group? No, it just gathered dust on a DCAL shelf.

Under devolution, I hope that Members will be able to progress the comprehensive spending review to a point at which the funding for Ulster-Scots reaches parity with Irish. That is what a shared future must be about.

On 10 September 2007, Mrs Carmel Hanna said:

"I ask the Minister to take into consideration, when he looks at the matter, the most recent census figures, which show that around 10% of the population of Northern Ireland speak the Irish language and only 2% speak Ulster Scots."

The census did not ask whether those completing it spoke Ulster Scots. It is remarkable that she knew how many people spoke Ulster Scots when the question was not even asked. The figure of 10% is grossly exaggerated, particularly in light of recent figures from the Republic that show that, even though a proportion of the population has some capacity for the Irish language, those who bother to use it are about a third of Mrs Hanna's figure. I learned French at school, but I never use it.

Concerning Sinn Féin's use of the Irish language and points that were raised about the Irish language

Act, Mr McNarry used some relevant words. He spoke of people ramming the Irish language down other people's throats — he is right about that. Many years ago, the predecessors of the IRA, the Irish Republican Brotherhood, published a magazine called 'Irish Freedom'. In one article, it encouraged every Irish speaker to become — what a great phrase — a "language bigot". The magazine actually advocated bigotry. Therefore, people were compelled to become Irish language bigots and to go around the place and "shove it down their throats" — whether they liked it or not. Sinn Féin's policy today is the same as that which the Irish Republican Brotherhood advocated 100 years ago — nothing much changes.

At the beginning of the Gaelic revival, a few Protestants were involved; however, they soon dropped by the wayside. One need only examine the records of the Glens of Antrim Feis to see that leading republicans were on the platform. It was more political than cultural. The GAA and the Gaelic League have been involved in events such as the Casement commemoration — another republican event. The linkage between the Irish language, Gaelic culture and republicanism spans more than 100 years.

Concerning knowledge of the Irish language, Sinn Féin kindly posts a magazine through the doors in my area every so often. That magazine formerly had an Irish headline in letters an inch and a half large.

However, the last issue that came was called the 'Sinn Féin Bulletin'. Although the "Sinn Féin" bit seems to be Gaelic, the word "Bulletin" is English. The original big banner headline is now a minuscule strapline. That says clearly that the people who were getting the newspaper did not know what it was, because they could not read it.

That is a bit like the case of the Sinn Féin Members who, at the start of the Assembly, were given little crib sheets. Somebody left one in the photocopier, and I picked it up. The crib sheet gave phrases in English with their Irish equivalents — which were also spelled out phonetically, so that the Members would know how to say them. Over the summer, some of those Members went to classes, and now they can actually manage to say a few words. That may be progress linguistically, if not otherwise.

Finally, we added the reference to Hansard because at the start of a speech made by a Sinn Féin Member there are usually five or six words — I will not attempt to pronounce them — which probably mean something like "Thank you, Mr Speaker". However, when I say the same thing in English, it is not recorded. That raises two points. First, if that phrase were removed from the speeches there would be little Irish to record, because that is about the limit of most Sinn Féin Members' knowledge. There are a few fluent Irish-speakers

among them, but the bulk of them struggle with their seven or eight words.

Secondly — if we believe in equality — if such phrases are recorded in one language, but not in the primary language of English, who decided that they should be recorded in Irish for Irish-speakers?

Mrs Long: Will the Member give way?

Mr McCausland: I have less than two minutes left, I am sorry.

Finally, if we are to deal with the issue, we need to get rid of the divisiveness, friction and abrasiveness that the Irish language lobby has brought to the matter. We must restore the Irish language to its place in our cultural wealth.

All minority languages are of value wherever they exist, whether they belong to indigenous or ethnic communities. However, indigenous languages are particularly significant, because, if they die out in the countries in which they are spoken, they will not exist elsewhere. If Chinese ceased to be spoken here, it would still be spoken in China, and it would survive. However, if Ulster Scots dies out in Ulster, it will die out completely. The same can be said of Irish. If it dies out as a minority language on the island of Ireland, it will die out. We need to reach a point where those languages are respected, not used as cultural weapons in an abrasive and offensive manner. We can reach that point if we stick to the core principles outlined in the European Charter for Regional or Minority Languages and the Government policy of 'A Shared Future'.

Ms Ni Chuilín: Go raibh maith agat, a Cheann Comhairle. Agus ba mhaith liom labhairt i gcoinne an mholadh seo. For Nelson, that was: "Thank you, Mr Speaker. I am not supporting this motion."

This motion is divisive, offensive and sinister. The issue of language rights is not controversial in Wales, Scotland, the South of Ireland or throughout Europe. An expression of human rights has become a political football in the battle for supremacy between the unionist parties. The determination of unionist politicians to block any recognition of the Irish language is a misguided and macho demonstration of anti-Irish bigotry. It is almost as if unionism has decided to define itself by how ferociously anti-Irish it has become. That is nothing short of pathetic.

According to the latest census, 75,000 people in the Six Counties speak, read, write and understand Irish. An additional 167,000 people say that they have some knowledge of the Irish language. The increasing demand for Irish-medium education is an indication of the value attached to the language by many families in the North. Those are the plain facts.

The Irish language has a particular relationship with the people of this island. It is an indigenous language,

with an unbroken historical line, and it has been spoken here for over 2,000 years. It is part of a common culture; a language that has been shared with Gaelic Scotland for 1,500 years. The names of our mountains, rivers, towns and streets are deeply rooted in the Irish language.

The Irish language is not just a nationalist issue; it is part of the shared cultural heritage of us all. Indeed, the Irish language is rooted in the proud tradition of Presbyterianism, and there are many examples of Presbyterians who viewed the language as an integral part of our shared cultural heritage.

In 2001, the British Government signed up to the European Charter for Regional or Minority Languages. The committee of experts who oversee the implementation of the charter has consistently been critical of the British Government's approach to the rights of Irish language speakers. There has been a deliberate attempt to inflate the likely costs of affording language rights to Irish speakers, and measures to address the historical exclusion of Irish speakers have been presented as an unnecessary burden to the taxpayer. Like many of the arguments that have been deployed, those arguments are also spurious.

Where costs have been incurred, the bottom line for Irish speakers, who are also taxpayers, is that for decades they have been paying towards their own exclusion. The Irish language community is asking to be treated equally with the Welsh language community regarding resources. We need to safeguard the rights of Irish language speakers — the same rights that were part of the Good Friday Agreement, which David McNarry's party supported.

Ba mhaith liom buíochas a thabhairt do Dháithí McNarry. I thank David McNarry, because as a result of his motion, in just one week, the demand for people requesting to find out where their local ranganna Gaeilge or Irish language classes are being held has increased. Therefore, go raibh maith agat, Daithí. Mar fhocal scoir —

Mr McElduff: I want to point out that David McNarry, who proposed the motion, vacated the Chamber as soon as the Sinn Féin Member got up to address the issues contained in his statement.

Ms Ní Chuilín: Go raibh maith agat.

Mar fhocal scoir, ba mhaith liom na rudaí seo a leanas a rá. Mr McNarry should know that a proposed Irish language Act is now with DCAL, and that it will be discussed on 25 October 2007. This motion is a pre-emptive strike, and is unhelpful to us all. Náire ort Sinn Féin is opposed to the motion. Go raibh maith agaibh.

Mr D Bradley: Go raibh maith agat. Ba mhaith liom a rá ón tú go bhfuil mé gla in éadan an rúin seo mar nach bhfuil crothán céille leis in aon chor.

At the outset, I express my opposition to the motion. It is not a sensible motion in anyone's language, whether it is Irish, English or Ulster Scots. It seeks to have the First Minister and the deputy First Minister request that members of the Executive Committee refrain from using the Irish language in the Assembly Chamber, in Committees and in written communications with MLAs.

Fiú dá n-iarraidh an Chéad agus an Leas-Chéad Airear airí a léithéid a dhéanamh cén cumhacht a bheadh acu a n-iarraitas a chur i bhfeidhm?

Even if the First Minister and the deputy First Minister were minded to make such a request, what power would they have to enforce it? Such a ban would fly in the face of every piece of human rights and equality legislation that we have — not to mention international charters.

Rachadh sé in aghaidh rialacha an Tionóil féin chomh fada agus atá cead ag bail a rogha teanga a úsáid ach a n-aistriúchán féin dá ndúirt siad a sholáthar.

Indeed, it would go against the rules of this House insofar as Members may use the language of their choice and provide their own translation. That is the convention, and it is observed by Members who use Irish and Ulster Scots, and, therefore, recognises the sensitivities of those who may not understand what is being said.

We should be considering the ways in which Irish speakers are disadvantaged by the rules of the House. As I said, Irish speakers, according to convention, must translate everything that they say into English. In doing so, they lose part of their speaking time.

Tá cosc orainn ceisteanna scríofa nó ruin a chur síos i nGaeilge ach lena cheart a thabhairt don Cheann Comhairle tá geallta aige a scéal sin a inniúcadh.

We are even prohibited from submitting written question or motions in Irish, even if we provide translations. Although, Mr Speaker, to give you credit, you have promised to consider that issue, and I welcome that pledge.

3.00 pm

Mr Speaker, the House should move into the modern age and provide a facility for instantaneous translation, as Assemblies in other parts of the UK do. Instead of trying to curtail cultural rights and diversity, we should be trying to facilitate them. The message that we should send out is that we are open to diversity and we facilitate it, not that we are narrow-minded bigots who cannot share our own cultural traditions. If

we cannot share them here, what chance do we have of embracing a wider diversity?

The motion calls on the House to object to the proposal for an Irish language Act. However, Mr McNarry should know that such an Act would have to pass all the legislative stages, including a Committee Stage. He is Deputy Chairperson of the Committee for Culture, Arts and Leisure. Why does he seek to undermine the integrity of that Committee by bringing this motion? Mr McNarry is vociferous when he considers that the Minister or the Department are seeking to undermine the Committee's integrity, yet he brings a motion today that seeks to do that for which he condemns the Minister and the Department. That, Mr Speaker —

Mr McNarry: On a point of order, Mr Speaker. Did you not say, when chastising me, that Members were to address their questions through you and speak through you?

Mr Speaker: Once again, I remind Members, as far as possible, to address their remarks through the Chair.

Mr D Bradley: Mr Speaker, you will have noticed that I have addressed you in name at least five times already.

Mr McElduff: I thank the Member for giving way. I wish to welcome Mr McNarry back into the Chamber. Ba mhaith liom a rá fáilte ar ais. The Sinn Féin Member has spoken: Mr McNarry can now come back into the Chamber.

Mr Speaker: The Member has an extra minute.

Mr D Bradley: Mr McNarry's attitude to the debate and to the Committee is utter hypocrisy and points to the shambolic nature of the motion, which calls on people who have no power to do anything, to do nothing. It is a waste of the Assembly's time. Even if the motion were to be carried, it would not change a thing. Members should see Mr McNarry's motion for what it is — a cheap publicity stunt. We should not encourage that sort of thing; we should reject it.

Tréasláim le gach duine sa teach seo a roghnaíonn an Ghaeilge nó n Ultais féin a úsáid, is cuma cá mhéad den teanga atá ar eolas acu. Tá mé cinnte de nach gcuirfidh an rún seo as dóibh agus ta súil agam go mbeidh na háiseanna cuí againn le húsáid na Gaeilge a fhorbairt mar is ceart i ngnó an Tionóil.

Mr Speaker, if you give me the time, I will translate that.

In conclusion, I congratulate every Member who chooses to use Irish, or indeed Ulster Scots, in the Chamber. It does not matter how much of the language they know. I am sure that the motion will not discourage them from doing so, and I look forward to a time when there are facilities in the House for

instantaneous translation. Go raibh maith agat, a Cheann Comhairle.

Dr Farry: Go raibh maith agat, a Cheann Comhairle.

[Laughter.]

Mr Kennedy: On a point of order, Mr Speaker. I ask the Mayor of North Down to explain that remark to his constituents.

Dr Farry: As the Mayor of North Down, that well-known hotbed of republicanism, I point out to the Member that, on the mayor's chain of office, and on the crest of the borough of North Down, the place name Bangor appears in Irish as Beannchor, a Cheann Comhairle.

The motion is completely unnecessary. The people of Northern Ireland wonder why we are discussing the motion when so many pressing issues face us, such as health, education, community relations and the classroom assistants' strike.

Does a knockabout over an issue regarding symbols really add to the credit of this Assembly?

I think not. It is a real shame that the situation is such that a petition of concern has been submitted on an issue that does not affect the vast majority of the people of Northern Ireland. That is an interesting statement of the priorities of the Ulster Unionist Party, which follows its proposing the same motion twice.

We must have respect for one another in the Chamber. My colleagues and I do not find a Minister's using Irish in the Chamber, or in a letter, offensive or intimidating. Provided that a translation is supplied, what is the problem? As Mr McCausland said, relatively little Irish is spoken in the Chamber. It is not a big deal and is not holding back the Assembly.

We must avoid a situation whereby the Irish language is associated with republicanism. When that association has been made, it has come from the allegations of unionists. The Irish culture and heritage belongs to us all as part of our shared background. Many place names in Northern Ireland have an Irish root.

Mr McCarthy: Ballygowan.

Dr Farry: Ballygowan, among many others. My Irish is limited, and I will not attempt to speak it again, but I did attend an Irish class when I was at Queen's University. Guess who organised that class? It was the Queen's University Ulster Unionist Association.

[Interruption.]

Mr Speaker: Order.

Dr Farry: Even Mr McNarry used Irish in his speech today when he referred to the Southern Parliament as the Oireachtas, and he did us all a great discourtesy by not providing a translation of that term.

[Laughter.]

The Alliance Party is happy to discuss an Irish language Act, but our preference would be for an overarching language Bill that would encompass all the languages that are used in Northern Ireland, whether Irish, Ulster Scots, or the growing range of ethnic and minority languages.

We must make a distinction between giving respect, and facilitating people to engage in freedom of expression, in which case duties are placed upon others. Allowing Members to use Irish in the Chamber does not place duties on other Members, but it respects people's rights to exercise part of their identity, and none of us should have a difficulty with that.

The Alliance Party is reassured by the approach that is being taken in relation to the current version of the Irish language Act, under the aegis of the Department of Culture, Arts and Leisure. The Alliance Party had major reservations about the rights-based approach that was advanced as part of the initial consultation, which we believe would place substantial burdens on public bodies. The approach of creating language schemes, whereby public bodies have a duty to put in place suitable provision for their user base, is constructive and merits further discussion.

Today's debate is not about the Irish language Act, but about respect for Members of the Assembly and how we relate to one another. Members must send out the message that respect and tolerance is now the ethos of the new Northern Ireland. There is a risk that this motion will drag us back to the old-time politics that many people believed we had moved on from. The Assembly must reject the motion in the strongest terms.

Mr G Robinson: I support the amendment. Sinn Féin, and others, use the Irish language as a political tool and as a political football. Sinn Féin use the Irish language as a means of creating an identity that they can hide behind when they want to whitewash their electorate into thinking that they are still a republican party.

The motion identifies the sensitivities involved in using the Irish language, and it aims to create equality in the Assembly Chamber. The request for only English to be spoken in the Assembly Chamber has been made for sensible and practical reasons, in order to build an environment that is truly shared. There can be no equality when the majority of Members cannot understand what certain Members say, or try to say.

Janet Muller of Pobal said:

"Demanding Irish speakers cease to use the language in public is the language equivalent of telling black people to sit at the back of the bus."

That is a misleading and scurrilous attempt to blind the Assembly and con the public into believing that there is a unionist agenda of language apartheid. Language apartheid is being created only by those Members

opposite who deliberately preface their remarks with a statement in Irish, and sometimes pronounce that badly.

There is no doubt that respect for cultural heritage in its various forms is a slow and ongoing project. However, forcing contentious aspects of a culture, which has become closely associated with terrorism, is not the way to gain respect for it. The Members opposite cannot honestly compare the use of Irish — which became closely identified with IRA terrorism, whether they accept that or not — with the use of Ulster Scots by their Protestant neighbours. Is it so difficult for some Members to use the language that they use in everyday conversation in the Building, and, indeed, through which they make the majority of their comments and contributions in the Assembly?

Recently, Members will have become aware that £151,000 of the Department of Health, Social Services and Public Safety's budget has been wasted in the past five years. I, and many others, have no doubt that that money could have been better utilised to the benefit of all. Members are aware of the tightness of the budget that the Assembly has at its disposal. Small savings in each Department add up to a substantial amount. Those savings can be made immediately and will benefit the whole of Northern Ireland, unlike the sometimes stuttering comments in Irish to which Members are subjected in Assembly debates, Committees and written communications.

The proposal of an Irish language Act is another example of how Sinn Féin has tried to appease the people who elected its members into office. Sinn Féin knows as well as everyone else in the Assembly that there is no way that such a proposal would be passed. The DUP promised its electorate that that would not happen. My party can deliver on its promise. With that in mind, any such proposal can be seen as Sinn Féin's use of part of its culture and heritage as a political device. Sinn Féin knows that an Irish language Act is undeliverable. That is tantamount to an abuse of the trust that its electorate has put in the party.

I sincerely hope that the amendment is carried and that the ridiculous speculation on an Irish language Act can be put behind us. We are an English-speaking nation. In the context of Northern Ireland, the Irish language is a highly divisive issue that is used to inflame and to cultivate political sport. Scots Gaelic and Welsh are not used in that way, and are more popular in their respective countries than Irish is in Northern Ireland. I support the amendment.

Mr Brolly: Go raibh maith agat, a Cheann Comhairle.

Caithfidh mé a rágo gcuireann an rún seo díoma or magus go mór mór ós rud é go bhfuil sé curtha inár láthair ag fear a bhfuil breá Gaelach air – Dáithí McNarry, agus tá sé as láthair arís.

I am disappointed by the motion, especially as it was brought to the House by a man who carries a fine Gaelic surname: David McNarry. *[Interruption.]*

Mr Speaker: Order, Members. Order.

Mr Brolly: Tá sloinne breá Gaelach orm féin agus tá mé cinnte nach gcuirfidh sé ionadh ar dhuine ar bith sa teach seo go bhfuil mé ag éirí i mo sheasamh chun labhairt go láidir agus go teann in éadan an ruin sheafóidigh seo.

I carry a fine Gaelic surname as well. I am sure that no one will be surprised that I speak strongly and firmly against this pointless motion.

Is féidir go bhfaca cuid agaibh na páistí scoile agus a múinteoirí taobh amuigh den fhoirgneamh seo ag am loin ag déanamh agóide i gcoinne an rúin seo. Tá na daltaí sin i measc ceithre mhíle acu atá ag staidéar trí mheán na Gaeilge ar chuig scoil agus seasca ar fud an Tuaiscirt agus tá na huimhreacha sin ag ardú ó bhliain go bliain.

Perhaps some Members saw the children who assembled in protest outside the Building at lunchtime. Those children are among 4,000 who study through the medium of Irish in 65 schools across the North — a number that is growing from year to year.

Briseann an moladh seo rialacha an Tionóil. Briseann an moladh seo Comhaontú Aoine an Chéasta maidir leis an teanga. Briseann an moladh seo an chairt Eorpach a thacaíonn le ceart an duine an Ghaeilge a fhoghlaim agus a labhairt.

The motion breaks the rules of the Assembly. It breaks those rights enshrined in the Good Friday Agreement regarding language and it breaks the European Charter for Regional or Minority Languages, which supports the right of people to learn and to speak Irish.

3.15 pm

Mr D Bradley: The Ulster Unionist Party, of which Mr McNarry is a member, signed up to the Good Friday Agreement, which stated that the Government should:

- “ • take resolute action to promote the language;
- facilitate and encourage the use of the language in speech and writing and in public and private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the Irish language;”.

Does the Member agree that it seems that the Ulster Unionist Party is now posing as an anti-agreement party?

Mr Brolly: Go raibh maith agat, a Cheann Comhairle. Go raibh maith agat, a Dhominic.

I thank Dominic for his intervention and for that very useful information.

Tá an ceart chun teangacha dúchasacha a úsáid aitheanta go hidirnáisiúnta agus ní féidir le ciníochas frith-Ghaeilge nó páirtithe polaitiúla ceart mhuintir Thuaisceart na hÉireann a dhiúltú. Ní cóir ach oiread do dhuine ar bith sa teach seo nó taobh amuigh de gan meas a bheith aige ar an Ghaeilge, ar Ghaeilgeoirí agus ar lucht tacaíochta na Gaeilge.

The right to use indigenous languages is recognised internationally, and no racist, anti-Gaelic racist, or political parties have the right to deny the people of the North of Ireland their right. It is not proper for people in the House, or outside it, to show disrespect for the Irish language, Irish speakers or supporters of the Irish language.

Cinntíonn an rún seo agus an drochaigne a ghin é go bhfuil acht láidir agus éifeachtach de dhíth ar an Ghaeilge gan mhoill.

The motion and the ill-will that gave birth to it reinforce the need for a strong and effective Irish language Act, as soon as possible.

Tá mé ag iarraidh oraibh go léir anseo inniu vótáil in éadan an rúin seo. Go raibh míle maith agaibh.

Mr Speaker: Before I call the next Member to speak, I will clarify a point that has been made about the motion. The motion does not break the rules of the House. The motion is competent, and I must put that on the record.

Mr Shannon: There should be little doubt about the importance that I place on the celebration of culture and heritage. People cannot know where they are going until they know where they have been. There is not — and should not be — anyone in the Chamber who is opposed to the expression of a culture, as long as the expression of that culture is dignified and is carried out in an appropriate manner.

There is no doubt that, in order to give our young people a sense of self-worth and national pride, they should be made aware of their history and roots. I congratulate Foras na Gaeilge and Tha Boord o Ulster-Scotch for their hard work in the promotion of those objectives. Both bodies work hard to achieve their aims, which are the promotion of language and culture, and both are successful in those aims. For that reason, the Irish language Act is redundant, as it calls for the promotion of the Irish language and culture — that is the purpose of Foras na Gaeilge.

To push for more than the stated aims of Foras na Gaeilge is nothing to do with the love of culture and heritage. It has more to do with the love of political machinations and expression of anti-British malice. It is an attempt to stir up resentment and emotions, while

achieving no gains in the promotion or development of Northern Ireland.

Do some Members think that the boards are not doing enough to promote culture and heritage? Do they lack belief in the ability of those hired to do the job and achieve the aims of those organisations?

I find that hard to believe, given that Assembly Members are instrumental in running the boards. What need is there for an Irish language Act to carry out that which should already be being successfully carried out by the bodies that are currently in place.

As I have said, the motives behind the call for such an Act must be examined, and I firmly believe that those motives are harmful to progress in Northern Ireland. Rather than making people more open and receptive to the Irish culture, the manner and the means by which this matter is being approached is alienating and intimidating the majority of people in Northern Ireland.

That bullying approach will, in no way, soften the Province's population or encourage it to embrace that language — rather, it is having the opposite effect. That, of course, is the intention. There is no real honest intention for Northern Ireland to step forward in celebration together. Rather, an Irish language Act is a political statement, which would be a waste of money, and which many in the Province would find too insulting to overlook.

That type of mentality and endeavour can have no place in a Chamber to which we are elected to serve and represent the needs of the Province as a whole — not to place one section of the community above the other. There is no fairness and equality in doing that. Surely the equitable approach would be to use the money that is set to be wasted on that unnecessary Act on something that would benefit the whole Province, rather than isolate the majority of the people who live here.

It is my personal belief that both language bodies are successful in their endeavours. Indeed, the young public in my constituency recently benefited from the hard work of the Ulster-Scots Agency in organising a fitba coaching day with David Healy, during which football and language were taught with equal skill. That day was thoroughly enjoyed by all. That is the way in which language should be promoted — in a way that is fun, informative and pleasurable. That is where the Ulster-Scots Agency is thriving. In linking the past to the present, and then to the future, we can be secure in the celebration of our heritage in ways that do not exclude any members of the community. That celebration was not exclusive; people from all areas of the Strangford constituency, and of all political affiliations and religious views, participated in that event, which had no political emphasis — it was

merely a day of information and fun. That should be the aim of the promotion of culture and heritage, which should be free from political statement and machination.

It is clear to anyone in the Chamber that the Irish language Act and its connotations are aggressive in nature. We are well past the point in Northern Ireland where the aggression of one section of society should impact on so many others.

Northern Ireland does not have funds to throw about willy-nilly — so much needs to be done to its infrastructure and on the essentials. Wasting money on a political statement that offends and upsets the majority of people in the Province cannot be, and should not be, considered.

I support the amendment and ask the Assembly to look past the political machinations of one sector and to concentrate our effort, attention and funds on matters that will benefit all the people of the Province.

Mr K Robinson: Herr Sprecher, Ich danke Sie für Ihr verstanden. Ja, meine Damen und Herren, und beliebten Mitglieder, will Ich in Englisch sprechen.

I support the motion standing in the name of my colleague David McNarry. In doing so, I ask Members to read the motion carefully. It contains a generous recognition of the cultural diversity of our society. It also notes the carefully constructed framework that supports an equitable approach to those linguistic and cultural traditions.

The motion further seeks to streamline the work and improve the effectiveness of the Assembly by indicating areas in which the use of one of those languages — in the Chamber, in Committee and in written communication — adds to costs and impinges on the most constructive use of the time available for conducting our business.

There is not a Member in the House who will not admit that shortage of time is a major obstacle to our workload. How many Committee members are engaged in meetings that last up to three hours in an attempt to cope with the huge workloads? Just look at the forward work programmes for those Committees and remember that we have not yet begun to scrutinise legislation, clause by clause and line by line. Dare I remind Members that that business will be conducted in the working language of this House and this society — the language that all immigrants and overseas workers who arrive on our shores seek to master in order to integrate and prosper.

A few years ago, I had the pleasure of attending the annual conference of the Irish National Teachers' Organisation, which was held in Newry. During that event, which, in those days, would not normally have been attended by unionist politicians, I had the good fortune to sit beside the president of the union. He spoke fluent Irish in a most melodic and pleasant

manner. However, for me, he highlighted the difference between the melodic intonation of the Gaeltacht and that harsh, staccato "Jailtacht" variant that has been instilled into certain parts of the Province.

A former employee of this estate, who was also a native Irish speaker from the Republic, told me how he listened to the attempts of Members of a previous Assembly to speak to him in Irish. Their pronunciation and structure were wrong, and their words were not those that a fluent speaker would naturally use. We also had the interesting spectacle of two Members on the opposite Benches disagreeing in Irish until one of them quickly ran out of words. The winner of that pan-nationalist struggle was a native of the Gaeltacht. My former colleague and Irish speaker Ian Adamson had many a chuckle as he analysed the attempts of the Members on the opposite Benches to speak in Irish. A Southern unionist visitor to the Public Gallery explained to me that certain speeches that she heard in the Chamber were delivered in less than impressive Irish. Although that can be readily understood, for many there is a more sinister side to the desire to use Irish.

Unionists know what Sinn Féin's underlying traditional aim is in its promotion of Irish. In saying that, our so-called unionist paranoia is not kicking in; rather, I am describing the vision of a namby-pamby, Brit-loving, Treaty-signing Free Stater — none other than "The Big Fellow" himself. That vision was recalled by a former head of research for the Soldiers of Destiny in a lecture that was reported by 'The Sunday Times' on 9 March 1997. It pointed out that Collins's vision for Ireland was no different from that of de Valera. Collins asserted that:

"We are now free in name. The extent to which we become free in fact and secure our freedom will be the extent to which we become Gaels again... We can fill our minds with Gaelic ideas, and our lives with Gaelic customs, until there is no room for any other... The most completely anglicised person in Ireland will look to Britain in vain."

That is why Irish is still being used and abused, not as a cultural expression, but as a weapon of exclusion. I support the motion and Nelson McCausland's amendment.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle.

Seasaim chun labhairt in éadan mholadh David McNarry.

Ní chuidíonn an moladh le híomhá an Chomhthionáil mar áit inar chóir fáilte bheith roimh gach duine agus inar cheart aitheantas don teanga agus iolrachas bheith á léiriú agus á aithint go hoifigiúil. A mhalaírt ar fad, go díreach.

Agus, is tábhachtaí fós, ní chuidíonn moladh den chineál seo agus aon sort díospóireacht conspóideach,

nimhneach le cur chun cinn na Gaeilge, ná le meas ar teanga ná cultúr ar bith.

Mr McNarry's motion does the opposite of enhancing the impression of the Assembly as a place where everyone should be welcome and where, as of right, the language and cultural diversity should be officially on display and recognised for all to see. More importantly, the motion — and any controversial or poisonous debate — does absolutely nothing to promote the Irish language and, consequently, to promote respect for any language or culture.

Reverend Martin Brennan, writing in 'A View of the Irish Language', says that:

"Language is indeed primarily a means of communication. It unites two minds in the common possession of an idea given and received, held in common. Because of this power to unite minds it must have something of the spiritual in itself, in spite of the evidently material nature of the symbols it uses to convey the ideas. The spiritual aspect of language gives it a depth and a dimension that a merely material medium could never share. Language is not a mere code, a sort of intellectual coinage where each unit, each word, has a set value and is capable of fitting into a sort of mental slot-machine to give a mechanical result."

Baineann sé sin le gach teanga – an Ghaeilge ina measc. That applies to every language — including Irish — where history, music and literature are concerned.

3.30 pm

Today, a distinction has been made between the funding and the recognition of the Irish language. Mr Shannon referred to funding; that is one mechanism, and it is welcome and important. However, we need formal, statutory, legislative recognition for the identity of the communities.

Le bheith fírinneach linn féin – baintear úsáid as an Ghaeilge gach lá — in fact, Irish is used every day — Carrickfergus, Annaghmore, Mullaghmore, Garvaghy, Gort, Keady — go díreach ón Ghaeilge — those names are taken straight from Irish.

Difference can be either an excuse for division and all the prejudice that underpins it, or a reason for a society to embrace plurality and emerge all the richer for it.

Tá mé ag obair ar son tire a ghlacann an bunphrionsabal sin go hiomlán ar bord. I will continue to work for a country that enshrines those basic principles in their entirety.

Cuirimse in éadan an rúin.

I oppose the motion. Go raibh maith agat.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly): Am bye hairtfelt glaid tae bae complutherin at tha forgeitherin o tha semmlie.

I am glad to be in the Chamber to speak on this important issue. I welcome the opportunity to respond to the debate, and I have listened with interest to the

contributions. I am glad that Mr McNarry pointed out that I am speaking as the junior Minister for the Office of the First Minister and deputy First Minister.

The proposer of the motion is correct in saying that the Ulster-Scots Agency, Tha Boord o Ulstèr-Scotch, is the main vehicle for the promotion of Ulster-Scots language and cultural issues, and that Foras na Gaeilge provides that function for the Irish language.

Is Tionól reigiunda é an tionól sear chíuseanna an chairt agus cur I gcíoch an chairt taobh istigh dá nobraidí.

Beidh á fhios ag na baill go bhfuil sé iontach soiléir sna hordaithe seasta go bhfuil cead ag Baill labhairt í dteanga a rogha féin – cludaíonn seo na Baill nuair a labhrann said mar Airí, the Department of Culture, Arts and Leisure has undertaken two consultation processes, from December 2006 to June 2007, on proposals for Irish-language legislation. The second consultation, which ran from March to June 2007, sought views on a number of possible draft clauses. The clauses gave an indication of what shape the legislation might take.

The Northern Ireland (St Andrews Agreement) Act 2006 places a duty on the Executive to adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language. The general aim of the legislation, as presented in the second consultation, was to enhance and protect the Irish language in the North through supporting its use in the provision of public services. The approach set out in the draft clauses was based mainly on a language-scheme model. A comparable model to that is the scheme that was adopted by public bodies under the equality duty — section 75 of the Northern Ireland Act 1998.

The draft legislation proposed the creation of a duty on public authorities to prepare a language scheme, specifying the measures that they would take on the use of the Irish language in the provision of their services. In addition to that, a Cheann Comhairle, it proposed that a person would be able to use Irish in legal proceedings in courts and tribunals sitting in the North, subject to the provision of notice and the interests of justice.

Draft provision had also been included to enable certain statutory forms to be made available in Irish. Over 90% of the 11,000 responses to the second consultation on Irish-language legislation have been processed. It is expected that a summary of those consultation responses will be published later in the autumn.

There are also obligations arising from commitments that the Government made when the European Charter for Regional or Minority Languages was ratified. I note that the proposers of the motion and the amendment support that charter. The charter highlights the need to

base policies, legislation and practice on the principles of recognising, promoting and encouraging the use of Irish and Ulster Scots in order to preserve and safeguard both. It also includes a commitment to take “resolute action” to promote languages such as Irish and Ulster Scots.

For the purposes of the charter, the Assembly is a regional assembly and is responsible for the implementation of the charter in its operations. The Assembly's Standing Orders also state that Members may speak in the language of their choice. That also applies when Members speak as Ministers. Go raibh maith agat, a Cheann Comhairle.

Mr McNarry: On a point of order, Mr Speaker. In case the Chairperson of the Committee for Culture, Arts and Leisure makes another point about my absence, I must say that I am heartily sickened to hear a Minister of this institution speaking in Irish.

Mr Speaker: That is not a point of order.

Mr G Kelly: Tá sé ceart agus coir don bhall an méid atá fáite aige nó aici é a aistriú go Béarla má tá sé/sí ag caint as Gaeilge nó I dteanga ar bith eile. Go raibh maith agat, a Cheann Comhairle.

It is, however, a convention that any statements made in a language other than English, are translated fully and accurately by the Member immediately afterwards, as I have been doing. The use of Irish or Ulster Scots in correspondence — for example, in letter headings or salutations — is a matter for each individual Minister.

Slán go fóill. As go brách leat.

Braitheann sé ar an Aire más maith leis nó léi teanga or bith eile a úsáid I gcomhfhreagais oifigiúla.

I make the point that David McNarry did not walk out when I was speaking in Ullans.

Go raibh míle maith agat, a Cheann Comhairle.

Mr Campbell: I intend fully to utilise my allotted five minutes. There have been several complete misconceptions about the amended motion. A Sinn Féin Member described it as blocking any manifestation of Irishness. Another Sinn Féin Member described the motivation behind the motion as “racist”.

Mr McGlone quoted a Minister who said that Irish should be a means of communication. Of those who spoke against the motion, his was the most sensible quote that I heard all day. Language is precisely that and, if no one can understand the means of communication, what is the point in using it — unless as a political weapon? Members who say that they speak Irish — whether they took a crash course over the summer and missed some classes or are proficient — use it each and every time that they speak in the Assembly. People do not understand the words that are being

used, never mind the impact of what they are trying to say. If not to make a political point, what is the point of speaking Irish?

Mr Farry referred to various Irish appendages on the mayoral chain of North Down Borough Council, and I am sure that there are others. Other Members weighed in with Irish place names, the relevance of which totally escapes me.

Today's motion asks Ministers to ensure that when they communicate to Assembly Members and the public they do so in a language that people can understand. Why on earth such a request should be described as “racist” or an attempt to block any manifestation of Irishness is totally beyond me.

Less than a month ago, and in answer to my question, the Minister of Culture, Arts and Leisure, who has responsibility for the Irish language, outlined that last year some £17 million of taxpayers' money was spent on the promotion of Irishness — in comparison to the £600,000 that was spent on the promotion of Ulster Scots. How can expenditure on Irish that is 30 times greater than on Ulster Scots block any manifestation of Irishness? The people who talk about equality will get it: the DUP is committed to that.

When the bullseye is hit, we get a response. That is good, and I hope that we will get more of that — in a language that I understand. I am happy to take that on the chin, whether it is on a ferry, in the Chamber, or elsewhere.

Some Members: Hear, hear.

Mr Campbell: I will not leave and come back when the heat is off. Jim Shannon talked about an equitable approach, and that is what we are seeking. The mover of the amendment made that point very well.

No one who opposes the motion has attempted to address the anomaly that exists whereby Members who begin their speeches in Irish have their words recorded in Hansard, yet those of us who begin our speeches in English do not. They did not refer to that, but that is equality. We intend to see that matter through.

The junior Minister referred to the outline of any proposed language Act, and he spent some time doing that. It is precisely because of the content of any Irish language Act that there will not be one.

Mr Kennedy: Thank you for the opportunity to make a winding-up speech on the motion. In spite of the way in which the motion was unhelpfully heralded and trumpeted in some quarters, particularly by Sinn Féin representatives, with references to black people at “the back of the bus”, it has been an interesting debate.

The debate has been largely free from any element of real viciousness — we will have to wait a bit longer for that. However, the context of the debate — and let

me be clear and inform the House yet again, because the proposer of the motion went to great pains to make the point clear, and it clearly was not heard, and some people are not good at listening —

Mr McElduff: Especially if they have left the room.

Mr Speaker: Order.

Mr Kennedy: Mr McElduff may regard himself as the self-appointed attendance officer of the Assembly, but if he takes some time to listen, he may become better informed. The Ulster Unionist Party respects cultural diversity, as a key foundation for a stable, peaceful, pluralist society.

Northern Ireland's unique history in the United Kingdom and the British Isles has given to our society a rich diversity of cultural traditions — British, Northern Irish, Anglo-Irish, Irish, Ulster Scots and, in recent years, a growing and welcome range of ethnic-minority traditions. A framework that fosters respect for that diversity contributes to community cohesion and to good community relations. That is the starting point of the Ulster Unionist Party on those issues. That is why we believe that the arrangements that were agreed in 1998 provided principles and architecture that facilitated a growing respect for our society's cultural diversity. In particular, recognition was afforded to the Irish language and Ulster-Scots culture through Foras na Gaeilge and Tha Boord o Ulstèr-Scotch. It was there to provide an equitable framework for the expansion —

Mr Elliott: Does the Member agree that if the Irish language is treated in a respectful and appropriate manner, in the same way as other languages, it can be respected by everyone in the Chamber and outside it? In Fermanagh this evening the chairman of Fermanagh District Council, who is a unionist, will present Irish-language bursaries on behalf of the council. That is progress, and that is respect for what is right.

Mr Kennedy: I thank the Member for his well-made point, which highlights again that the allegations of racism and bigotry that were promoted, principally, by Sinn Féin representatives in the Chamber today are completely wide of the mark.

The decision at St Andrews by the political parties — including the DUP — to introduce an Irish language Act is profoundly unsettling and potentially has very damaging implications for community relations and for respect for cultural diversity. Any person who claims that an Irish language Act would have only a positive impact on community relations demonstrates a wilful ignorance of the views that a wide range of political and community stakeholders in Northern Ireland hold.

3.45 pm

Historically, Sinn Féin has used the Irish language as a political tool. It continues to do so, which does a

huge disservice to those people who are genuinely interested in the language and its cultural diversity. The Irish language is severely hampered by Sinn Féin continuing to use it in that way. In many ways —

Mrs Long: Will the Member give way?

Mr Kennedy: I am sorry; I do not have enough time.

In many ways, Sinn Féin uses the Irish language as a kind of warped ideological jihad. That is the overwhelming perception of the unionist population and unionist representatives in the House.

On the subject of Ministers who use Irish in correspondence, I recently had occasion to write to the Minister of Agriculture and Rural Development about a bull. It was a local bull, but when I got the reply, the writing appeared to be bullish. I was greeted with “Danny, a chara” and “Is mise” at the end of the letter. I was not interested in that; I was more interested in her doing something for the owner of the bull, but that did not happen.

The debate has been sensible. Mr McNarry outlined his concerns very well and again underlined that the Ulster Unionist Party regards the 1998 settlement of those issues as final.

I welcome and accept Mr McCausland's amendment. He rightly pointed to the European Charter for Regional or Minority Languages and expressed a concern about the disparity in funding between Irish and Ulster Scots. The other interesting aspect of his speech was that he learned French as a young person but no longer uses it, particularly not in the Chamber.

As the round table went around, Carál Ní Chuilín — if that is not the right pronunciation, it is my fault — again accused those in favour of the motion of being racist, almost to the point of their being very bigoted. She also reminded the Chamber of the link between the Irish language and the Presbyterian tradition. I again thought of my great-granddaddy Jones Black, who was a very competent Irish speaker many years ago, but, because of various influences, did not pass that on through the family. The Assembly must ensure — *[Interruption.]*

Mr Speaker: Order.

Mr Kennedy: The Assembly must ensure that, when Irish is taught, it is not being done so to be used as a political tool. Mr Dominic Bradley, a Member for Newry and Armagh, got himself into a lather and shouted at Mr McNarry in particular, who left at one point. *[Laughter.]* He then accused the UUP of being narrow-minded bigots.

The Mayor of North Down then made an intervention with Irish translations, which confirmed that people in Bangor could never spell. *[Interruption.]* I meant that some people in Bangor could never spell. *[Laughter.]*

Like George Robinson, I was greatly offended before and during the debate by the suggestion that the sentiment of the motion equated to a blacks-at-the-back-of-the-bus culture. That was a directly offensive and outrageous remark, which has no basis.

Mr Brolly clearly knows the difference between chuckle and our la — or whatever it is — and he treated the House to what some might regard as an Irish-speaking master class. However, it was lost on me because I was unable to translate it.

Mr Shannon confirmed that there is no need for an Irish language Act, and he stated that the Irish language is sometimes used to intimidate and bully.

I compliment my colleague Ken Robinson who opened his speech in German and reminded the House that there are genuine lovers and speakers of the Irish language who use it responsibly.

The junior Minister Mr Kelly set out, on behalf of the Executive, his factual views on the issue.

I agree with Gregory Campbell's comments about the means of communication. The language of communication in the Chamber is English. People should understand that, respect it and get on with it.

Mr McElduff: On a point of order, Mr Speaker. Mr Kennedy made a comment about people in Bangor not being able to spell. Bangor is in North Down, which is the only constituency in which the Ulster Unionist Party held on to its MP. It may be in danger of losing that constituency if it continues to insult the people of Bangor.

Mr Speaker: That is not a point of order.

Mr A Maginness: Mr Speaker, I have a serious point of order, and I would ask you to give a ruling later. Members have witnessed one Member going in and out of the Chamber during the debate. Not only was the Member going in and out, he was also the proposer of the motion that gave rise to the debate. In any other parliamentary institution, there would be at least some comment — if not censure — on that Member. The Member did what he did for ostensibly political reasons and not for any reasonable excuse. Mr Speaker, I ask you to give a ruling later as to whether those actions were a discourtesy to the Assembly. I also ask that rules are enacted in the future to censure a Member who carries out such acts.

Mr Speaker: I appreciate the Member raising that point of order and I will bring back my ruling to the House as soon as possible.

Mr McNarry: On a point of order, Mr Speaker. Are you accepting that as a point of order?

Mr Speaker: What was your point of order, Member? I did not hear it.

Mr McNarry: Thank you for the invitation to get to my feet again, Mr Speaker. My point of order is to ask whether you are accepting the last point as a point of order and will be bringing a ruling to the House?

Mr Speaker: I stated clearly that I will bring a ruling to the House as soon as possible.

Mr McNarry: Mr Speaker — *[Interruption.]*

Mr Speaker: I ask the Member to take his seat. I want no further discussion on the issue.

Mr O'Dowd: On a point of order, Mr Speaker. Is it appropriate for a Member to question the ruling of the Speaker?

Mr Speaker: It is not, and I came close to saying that. *[Interruption.]*

Order. The Member came very close to questioning the ruling of the Speaker.

I remind Members that the amendment only requires a simple majority.

Question put, That the amendment be made.

The Assembly divided: Ayes 44; Noes 46.

AYES

Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Cree, Mr Donaldson, Mr Easton, Mr Elliott, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Rev Dr Ian Paisley, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

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

NOES

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Dr Deeny, Dr Farry, Mr Ford, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Ms Lo, Mrs Long, Mr Lunn, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McLaughlin, Mr Molloy, Mr Murphy, Mr Neeson, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms S Ramsey, Ms Ruane.

Tellers for the Noes: Mrs O'Neill and Ms S Ramsey.

Question accordingly negatived.

Main Question put.

The Assembly divided: Ayes 44; Noes 46.

AYES

Unionist:

Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Cree, Mr Donaldson, Mr Easton, Mr Elliott, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Rev Dr Ian Paisley, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

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

NOES

Nationalist:

Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Dallat, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ni Chuilin, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms S Ramsey, Ms Ruane.

Other:

Dr Deeny, Dr Farry, Mr Ford, Ms Lo, Mrs Long, Mr Lunn, Mr McCarthy, Mr Neeson.

Tellers for the Noes: Mr D Bradley and Mr Dallat.

<i>Total Votes</i>	<i>90</i>	<i>Total Ayes</i>	<i>44</i>	<i>(48.89%)</i>
<i>Nationalist Votes</i>	<i>38</i>	<i>Nationalist Ayes</i>	<i>0</i>	<i>(0.00%)</i>
<i>Unionist Votes</i>	<i>44</i>	<i>Unionist Ayes</i>	<i>44</i>	<i>(100.00%)</i>
<i>Other Votes</i>	<i>8</i>	<i>Other Ayes</i>	<i>0</i>	<i>(0.00%)</i>

Main Question accordingly negatived (cross-community vote).

Sex Offenders

4.15 pm

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. Two amendments have been received and published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech.

Mr Butler: I beg to move

That this Assembly expresses concern at the disparity in child protection regulations and the registration of sexual offenders across the island of Ireland; and calls for an early North-South Ministerial Council cross-departmental sectoral meeting, including the Department of Health, Social Services and Public Safety, the Department of Education and the Office of the First Minister and deputy First Minister to address the disparity.

Go raibh maith agat, a LeasCheann Comhairle.

The most fundamental right that children on the island of Ireland should have is the right to be safe. Those of us who were elected to the Assembly, and those elected to the Oireachtas in the South of Ireland, have a responsibility to safeguard our children. Tá áthas orm as an deis a phlé an ábhar tabhachtach seo sa Tionól inniu.

Any approach to child protection must be based on the rights of the children on this island, regardless of which jurisdiction they live in. Both Governments have a clear duty to protect citizens, children and young people. The rights of the child must be paramount. The Irish and British Governments have signed up to the United Nations Convention on the Rights of the Child. That is the standard that they must reach.

Taking the border out of child protection is the challenge for both Governments. We must have a borderless country when it comes to the protection of children. The North/South Ministerial Council provides an opportunity to introduce protective measures. The North/South Ministerial Council must address the issue that we have two different legal and child protection systems and processes on the island.

Tá a fhios agam fosta go bhfuil fabhdh idir an tír seo agus An Bhreatain agus ar fud na hEorpa i dtaca leis an cheist seo.

I accept that the difficulties we face on the island of Ireland are also reflected in the different jurisdictions in Europe, and between Britain and Ireland. There is a need for that situation also to be addressed.

Glacfaidh muid leis an leasú atá ag an Alliance i dtaca leis an mholadh seo.

Two amendments have been tabled; the one proposed by the Alliance Party recognises that there is a problem not just between the two jurisdictions in Ireland, but between Ireland and Britain, and right across Europe.

Sinn Féin's long-standing objective has been the introduction of an all-Ireland sex offenders register. My party has been to the forefront in demanding an all-Ireland register as the most effective way of protecting our children. A single all-Ireland body should be responsible for holding standardised child protection information.

Nuair a bhí Mairtín Mac Aonghusa agus Bairbre de Brún ina hAí sa Tionól deireanach, rinne said iarracht ar an cheist tabhachtach seo a réiteach.

When Martin McGuinness and Bairbre de Brún were Ministers in the last Assembly, they initiated a process to allow for the setting up of an all-Ireland register to protect children, young people and vulnerable adults. There must be an all-Ireland approach to eradicating sex crime. That is why Sinn Féin has tabled this motion: we want an effective and integrated all-Ireland sex offenders register.

At present, a paedophile arrested in one jurisdiction on this island is not automatically included on the register of the other. That is worrying. Sex offenders are taking advantage of the loophole. We have a situation in Ireland where convicted sex offenders can move from one jurisdiction to another and legally seek work with children. There is already a battery of legislation to combat sex crime. However, there is a serious question about the effectiveness of the present system and the proper application of existing powers. There is a need for more powers, and for effective all-Ireland legislation to deal with the matter.

Sinn Féin wants to see the establishment of a single all-Ireland body responsible for holding standardised child protection information, supported by the Department of Health here, the Department of Health and Children in the South, and the Departments of Education in both jurisdictions. That body could also work within wider EU and global contexts, given that the issue is not confined to these islands. That is reflected in the amendments to the motion that have been tabled.

Sex abusers know no boundaries. It is vital that a key tool for protecting children and young people should not be confined by borders. The loophole still presents clear dangers and needs to be closed. It is disgraceful that a paedophile convicted in one jurisdiction on this island does not automatically appear on the sex offenders register in the other part of the country.

In recent years, high-profile cases have underlined the seriousness of the issue. The Bichard inquiry was established to examine the handling of Ian Huntley,

who was convicted of the Soham murders, with which we are all familiar. That case gave impetus to the need for criminal justice agencies and, in particular, the police to be enabled to share information.

On the island of Ireland there have been several high-profile cases. Vincent McKenna was convicted of abusing his daughter Sorchá McKenna. At that time, her family appealed for a change in the law. Mary McCleary, Sorchá's grandmother said that changes were necessary in order to stop sex offenders who were jailed in the South — such as Vincent McKenna — moving to the jurisdiction of the North.

Paul Redpath is a convicted paedophile who broke his probation by fleeing to the South of Ireland, where he was free because Garda had no power to arrest him. That case highlighted that the border was being used by sex offenders to evade justice, and underlined that police services and agencies had inadequate statutory legal powers to track sex offenders who moved from one jurisdiction to the other. Furthermore, it underlined the need for a change in the legislation and policies in relation to sex offences on both sides of the border. Last week, the arrest in the South of one of Britain's most-wanted sex offenders, John Murrell, again emphasised that sex offenders from other jurisdictions see the South of Ireland as a safe haven.

In November 2006 the British and Irish Governments agreed a new protocol to track sex offenders who may attempt to evade detection by travelling out of Ireland or Britain. That initiative came in the wake of the controversy generated by sex offender Paul Redpath, who broke his probation conditions by moving from the North to the South of Ireland where he could not be arrested. Under that agreement, police services on both islands will share and impart information on all sex offenders who plan to travel between Britain and Ireland.

An intergovernmental advisory group on registered sex offenders was established to enable continued and close co-operation in the exchange of information between Britain and Ireland. However, that memorandum of understanding between the Governments does not create binding legal obligations between Britain and Ireland.

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

The decision to establish a memorandum of understanding between the British and Irish Governments is a welcome and important first move; however, it must also serve as a catalyst for a full harmonisation of powers to protect children and young people on this island.

The next logical step to the process is a comprehensive all-Ireland policy. Sex offenders in the South are now subject to a new risk analysis before they are released from prison, or serve their sentences in the community. The system will determine the risk that

offenders pose to community and will help in the formation of a plan to deal with that risk. The measure is part of an all-Ireland system for tracking and monitoring paedophiles and sex offenders.

Our border is shared by two jurisdictions, and sex offenders and paedophiles take advantage of that. In the North over 700 paedophiles and sex offenders are monitored, 43 of whom are classed as high-risk. To take the border out of child protection is the challenge for both Governments on this island. We must have a borderless country when it comes to the protection of children. A thorough, systematic and effective way of dealing with child abuse is needed on this island. We need changes to the law, better co-operation between the PSNI and the Garda and effective legislation on both parts of the island. Go raibh maith agat.

Mr Buchanan: I beg to move amendment No 1: Leave out all after “offenders” and insert

“between Northern Ireland and the Republic of Ireland; recognises the threat that can arise when sex offenders from Northern Ireland move to Great Britain; and calls for full co-operation from all relevant departments to address these matters.”

I propose the amendment to provide a broader scope and to include the UK when dealing with the issues before the House today.

4.30 pm

I am sure that the protection of children from sexual abuse is a matter that lies close to the hearts of all Members. Too often, when we open our newspapers, turn on our televisions, or listen to the news headlines, we read or hear of another appalling incident in which a child or young person has been the unfortunate victim of sexual abuse — incidents that occasionally result in that young person's death. Such harrowing incidents not only instil fear and anger in communities, but provide a wake-up call that much more needs to be done to protect children and young people from such violent offenders.

Primary responsibility for safeguarding children rests with their parents, who should ensure that they are safe from danger and free from risk in their homes. However, given the society in which we live, where the family unit has been disregarded and many children are raised by single-parent families, there is an even greater need for full co-operation and a strategic approach from all relevant Departments in order to safeguard our children.

Today's 'Belfast Telegraph' carries yet another harrowing story. The headline is “Monster raped me at age 13”. A teenager has courageously spoken out about a vile attack that has ruined his life — a horror that he can never forget. That is the type of abuse that some young people must endure without their families' knowledge. Indeed, sometimes, such vile abuse is carried out by a close and trusted family friend. What

is the testimony to such a horrific ordeal? The victim tells us that he endures flashbacks, nightmares that continually disturb his sleep, and torment that has driven him to attempt suicide on three occasions.

Recently, the House debated the problem of suicide, particularly among the young. The Health Committee is currently dealing with that issue. Could it be that sexual abuse is a contributory factor to the high rate of suicide? Young victims may be unable or too ashamed to express their feelings to close family members, which results in such pain welling up inside them that they are driven to suicide. That reinforces the fact that urgent action is required to deal with this matter.

The disparity in child-protection and sexual-offender regulations between Northern Ireland and the Republic must be addressed. The Assembly must ensure that, wherever possible, legislation and policies on those issues work effectively on both sides of the border. A weakness that has been identified is that the Republic of Ireland does not have the same management arrangements for sex offenders as Northern Ireland, where strict arrangements for both the assessment and management of such offenders are already in place.

Multi-agency sex-offender risk-assessment and risk-management processes, which involve the PSNI, the Probation Board for Northern Ireland, the Prison Service, the Housing Executive and representatives from the voluntary sector, help to protect children and reduce opportunities for offenders to gain access to potential victims. Although the register of violent sex offenders, which was launched by the PSNI in January 2006, allows information to be shared on violent sexual offenders on a UK-wide database, a loophole in the law means that such offenders can evade serving their full sentences and can be released on probation back into the community. That has been witnessed recently in the case of Billy Adams in England and in today's 'Belfast Telegraph'.

Mr Weir: I am glad that the honourable Member has mentioned Billy Adams, as one of his victims was a constituent of mine.

Does the Member agree that the Billy Adams case highlights the cross-jurisdictional nature of the issue, which effectively resulted in his being able to benefit on three separate occasions?

The first time that he benefited was when he was transferred from a prison in the Republic of Ireland, where he had committed offences, to a prison in Northern Ireland, where he was able to benefit from 50% remission of his sentence. That meant that he was released early from prison. The second occasion on which he benefited was after his release from prison in Northern Ireland when he went to Liverpool. At that point, there must have been a breakdown in the system as he was able to commit serious offences again.

Perhaps what is most galling for his victims is that, in the third and final instance of his being able to benefit, given that he committed his most recent offences in Liverpool, the Northern Ireland Office has indicated that the months that he gained from 50% remission will not be added to his sentence. Had he committed the offences in Northern Ireland rather than in Liverpool, the early release period would have been added to his sentence. However, the different applications of both policy and sentencing across the British Isles have meant that he has benefited from legal loopholes. It shows the need for the matter to be examined, not only on an all-Ireland basis, but across the British Isles

Mr Buchanan: I thank the Member for his intervention and for his valid point. The issue needs to be examined across the whole of the British Isles and a single policy developed to deal with it.

As we have read in today's 'Belfast Telegraph', a man who sexually abused eight young children and who has 45 charges pending against him is to serve only part of his sentence. Is it not an indictment on Government and society that this evil paedophile, Henry Irwin—who was jailed for 14 years for sexual abuse, including rape—has already spent two years in jail but will walk free in five years under the 50% remission rule? It is an insult to the poor victims that have to live with the consequences of that injustice.

The House must send a clear message that there shall be no hiding place for the scourges of society who assault, abuse and destroy children and young people's lives. Governments must work with the relevant Departments to ensure that those offenders can no longer flout the law and that our young people have a secure environment in which to grow up.

I was somewhat encouraged today when the Speaker sent to all Members a letter from the Secretary of State for Northern Ireland, Mr Shaun Woodward. That letter stated that two Orders in Council would be introduced in the House of Commons. One of those Orders will refer to the repeal of 50% remission of sentences, and the other refers to the modernisation and strengthening of the law on sexual offences, along the lines of the Sexual Offences Act 2003. Those Orders in Council are to be introduced in the near future for consultation. When we consider the cases that have been mentioned in the House today, that development is to be welcomed.

Mrs Long: I beg to move amendment No 2: Leave out "an early North-South Ministerial Council cross-departmental sectoral meeting," and insert

"early sectoral meetings of the North-South Ministerial Council and the British-Irish Council"

I have no doubt that Paul Butler and Carál Ní Chuilín's motion will command support across the Chamber, and I thank them for bringing it to the House. Our amendment

does not seek to detract in any way from the importance of North/South co-operation on the issue.

Most of us will remember the name of Father Brendan Smith who manipulated, and who was facilitated in manipulating, poor co-operation between the authorities on either side of the border. We owe his victims, among many others, the reassurance that the authorities across the island are doing their utmost to make sure that a case such as his can never happen again.

Rather than opposing North/South co-operation, we want to expand the motion to ensure that the co-ordination between authorities across the islands is maximised and that sex offenders cannot slip through the net of official supervision by simply moving across the Irish Sea.

We are not attempting to provide some kind of artificial sense of balance. Instead, we are attempting to address a serious issue that has massive implications. I am sure that many will have heard of the Murrell case, which was reported in the media last week and to which Paul Butler referred earlier.

Murrell served a sentence for indecently assaulting a child in Worcestershire, but did not register with the police when he was released seven years ago. He disappeared along with his wife and children. Failing to register on the sex offenders' register has been recognised as indicating an extremely high risk of reoffending. In spite of that high risk, Murrell simply vanished. The authorities spread their net as far as Canada in an attempt to recapture him. However, last week, it was discovered that he was living in County Kildare; he was soon arrested by the gardaí and now seems set to be extradited back to England.

It is worth noting that Murrell was not recaptured as a result of standard practices and statutory authorities working in proper harmony with one another. He was recaptured as a result of an appeal on the UK programme 'Crimewatch' followed by his details being placed on the "most wanted" page of the Child Exploitation and Online Protection Centre's website. That was what eventually led gardaí to his whereabouts.

That is not an isolated case. Sadly, for many decades sex offenders have recognised that borders and seas provide little barrier to their movement but can be a serious barrier to the legal authorities in tracing and managing them. The example given by Peter Weir earlier clearly shows why proper co-ordination is needed.

There is a case for exploring some degree of European harmonisation on holding and releasing criminal record information and on how sex offenders are managed and tracked. However, we should not underestimate the serious issues that would be raised through any Europe-wide harmonisation because of different legal definitions and different understandings of items such as freedom of information, privacy and the rehabilitation of offenders. While EU-wide arrange-

ments have merit, and the Alliance Party would support efforts in that direction, it should be recognised that such arrangements could take a decade or more to agree.

However, there are particular issues concerning the movement of sex offenders around different parts of the British Isles. We have a common travel area and a common language, and that makes movement much easier. We have legal systems that are rooted in common, rather than Roman, law, and we have similar traditions of policing and offender management, which should, in theory, make co-operation and harmonisation easier to achieve. Indeed, we will not be starting without some foundation, as progress has already been made between authorities on information-sharing.

My research leads me to believe that the migration of sex offenders from mainland Britain to the Republic is the area in which action is needed most urgently. Co-operation would also enable us to learn from best practice that is being developed in other jurisdictions, and that could be implemented in Northern Ireland as quickly as possible.

Our systems of child protection and sex-offender management are very similar to those across the water but are quite different to those that exist south of the border, as Members have already pointed out. Indeed, Sinn Féin has framed the debate very much on the Republic's catching up with the standards that we enjoy in Northern Ireland. However, we cannot be complacent and assume that we will always be at the cutting edge of child protection.

For example, the Scottish Parliament has shown considerable reforming zeal on criminal justice matters. Its sheer determination and energy in making the lives of Scottish people better puts us to shame, and we may well have to learn much from the Scottish Parliament and our colleagues in Wales in the years to come. Good ideas cannot simply stop at the Irish Sea.

I thank Carál and Paul for raising this sensitive and difficult issue, and I reiterate that our amendment is intended only to amplify the intention of the motion rather than oppose it. I thank them for accepting the amendment. When issues such as this arise, it is normal practice for people to say that they will leave no stone unturned. I hope that at the end of this debate, that really will be the case, and that borders will be no barrier to lawful authorities in protecting the public from some of the most dangerous criminals in our society.

Mr McCallister: I would like to make it clear from the outset that the UUP will be supporting amendment No 2.

This debate is important and worthwhile. One cannot underestimate the gravity of the issue under discussion because the protection of children is paramount and is a priority for any Government, and I am pleased to contribute to the debate.

North/South co-operation on this issue is sensible and wise. There is evidence that some unsuitable individuals who pose a risk to children have accessed work in the Republic despite being barred from working with children in the UK. Child protection regulations and the monitoring of sex offenders must be considered on a European — indeed, global — level, rather than simply on an all-Ireland or UK level.

4.45 pm

Diana Sutton, head of policy and public affairs at the NSPCC made an excellent case for those measures when she said that:

“We need a simple system that allows an education or health authority in Manchester to ensure a potential employee from Madrid or Marseilles is not a danger to children.”

The management, vetting and barring of sex offenders is a live issue across the EU and requires urgent attention in light of some very serious cases. Ours is not the only area of Europe to share an international border. Our colleagues across the EU have huge experience in these matters and of the various legal systems involved. My party's disagreement with Mr Butler's motion is not, as Mrs Long rightly put it, because we are against an all-Ireland body; it is because the motion does not go far enough — the problem is much larger and must be set in a wider context.

The Committee for Health, Social Services and Public Safety has been examining the serious blight of suicide on our communities, and I agree with Mr Buchanan that there is no doubt that sex offending contributes to that blight. The role of the Internet was mentioned during the Committee's deliberations, and, in his evidence to the Committee last week, the Minister told us that he had been in contact with colleagues from the Home Office on that subject. I am sure that the Minister will continue to communicate the views of the Assembly and the work of his Department to the Home Office in that regard.

Mr Weir made a useful point about sentencing. It is important that the House notes the current rules on 50% remission, which many Members take issue with.

To conclude, my party supports amendment No 2 in the context that it will deliver the best protection for our children: that is the key point. We share a common travel area and a common language with the Republic of Ireland, and there are lessons that all jurisdictions could learn from one another. We should adopt examples of best practice and work together. We must never close our minds to new ideas or other exciting developments to tackle these serious issues, and the last thing that we want to do is to repeat the tragedy that developed out of a case some years ago in which neighbouring police forces in England failed to share information. We want the fullest co-operation between

the various jurisdictions in the UK, the Republic of Ireland and, indeed, across the EU.

Mrs M Bradley: When the First Minister met the Taoiseach at the Battle of the Boyne site earlier this year, he said that:

“it is important to engage with our closest neighbour from a position of mutual respect and with assured confidence”.

Nowhere is that more important than in child protection. It is good to hear such sentiments; however, old suspicions cannot be buried by victims of sex offenders, especially when he or she is confronted or haunted by their attacker in their own locality.

I am sure that the motion will receive a resounding Aye in the House. Unfortunately, I am equally sure that every one of us could recount horrific stories described by a broken-hearted mother, husband, daughter or relation, of how their loved one was humiliated, threatened, abused or, in the worst case, murdered by a sex offender who was known to the agencies but happened to commit the crime in another jurisdiction.

More stringent and restrictive regulations must be introduced. The most basic of those would be an inter-agency and inter-judicial database of offenders.

The motion is emotive, and it is infuriating that the Assembly must debate an issue that should be a given — the right of all our children to be protected. Despite the many horrific attacks that take place throughout the world on a daily basis, our various Governments have yet to create one general database that the legal agencies of any given country can access. Such a mechanism is now commonplace where terrorism is concerned; a click of a button will indicate to airports, criminal bureaux and Governments those individuals who are attempting to enter their respective countries. Why not give the statutory agencies that are responsible for security and protection a similar facility for the identification of sex offenders? It is a scary thought that throughout the EU there are over 27 varying templates upon which information about national sex offenders is stored, yet there is not one single database that is comprehensible enough to be shared or circulated among the various countries for the purposes of prevention and protection.

It is imperative that, in the context of EU expansion and increasing migration across member states, we address the issue not only on an island-wide vetting basis, but on a European-wide basis. That is not an attempt to demonise migrants, or infer that they are somehow less worthy of job opportunities than those who currently reside here or in Great Britain; rather, it is a recognition that British or Irish citizens would, as a matter of course, be subject to such checks if they were applying for the same posts as migrants.

It has always been a major priority and a genuine goal for the SDLP for child protection regulations to

be taken seriously and improved as our society evolves and changes. The SDLP introduced private Member's Bills in the former Assembly, and that, combined with our determination and tenacity to work closely with various children's agencies and charities, has resulted in the adoption of legislation.

I and my party colleagues held lengthy discussions with the Minister for Health and Children in the Republic of Ireland about many health and child-protection issues and about how cross-border co-operation could be extended and assisted. Given the close proximity of North and South, the sharing of one cross-border database would be a tremendous start towards creating a safer future for us all. In the absence of an international database, a lifeline at least would be available to those who are responsible for child protection and for the protection of all our residents from sex offenders.

My constituency of Foyle is literally a hop, skip and a jump to the border, and Donegal is our natural hinterland. Unfortunately, it has been known for sex offenders and other criminals to go missing by crossing the border. The Hunter Redpath case is synonymous with such a scenario. He remained free in the Republic of Ireland, as the gardaí were powerless to arrest him until he set foot on UK soil. Based on the details of that case, on 27 November 2006, the UK and Irish Governments produced a memorandum of understanding on the transfer of information about sex offenders and on inhibiting perpetrators fleeing over the border for any purpose without the consent of the probationary services.

For many years, the SDLP has been clear and forthright about its position on cross-border co-operation, and sometimes it has been demonised for that stance. However, —

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

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. No one in the House would have a problem with ensuring that there are no borders in child protection. Indeed, other Members highlighted that point. All borders pose a challenge in dealing with those who are a potential risk to children.

We are not unique in dealing with this issue. Last week, the NSPCC published a research document entitled 'Protecting Children from Sexual Abuse in Europe: Safer Recruitment of Workers in a Border-free Europe'. That report examined the different mechanisms that exist across the EU for the holding and disclosure of criminal records and information, the managing and tracking of sex offenders, and vetting and barring arrangements.

It is of great concern that there are different arrangements throughout the EU. In a recent case, a French national, convicted of a series of murders and sexual assaults, was able to move to Belgium, where he gained

employment in a school and continued to murder and commit sexual assaults. That highlights the need for common EU standards on convictions, sharing of information and vetting.

Both Ireland and Britain have enacted legislation to ensure that convicted sex offenders are required to notify the authorities of where they are. The two pieces of legislation are similar in their notification periods and the requirements placed on offenders with convictions outside the state. There has also been progress on the sharing of information on sex offenders. As a result of such structured co-operation, there has been much more cross-border work between probation officers and police on the management of sex offenders. That is to be welcomed.

However, although agencies in the North risk-manage all sex offenders in a structured manner, that is not the case in the Twenty-six Counties. Arrangements in the North have developed through the introduction of new risk-assessment techniques, new powers under the Sexual Offences Act 2003 and the probability of new legislation to place the MASRAM arrangements on a statutory footing later this year. That has not been paralleled in the Twenty-six Counties.

Recent high-profile sex-offender cases, such as the murder of *Attracta Harron* by *Trevor Hamilton*, demonstrate the need for a cross-border element in the management of adults who pose a risk. Although there has been some progress on the management of sex offenders on a North/South basis, concern remains about the vetting and barring arrangements for those who are unsuitable to work with children.

The North has some of the strongest vetting and barring arrangements in the world, but they differ starkly from those in the South, where the checking of criminal records only recently became a requirement for a range of posts. There is no equivalent disqualification list to the disqualified from working with children list or the list of unsuitable persons, nor is there lifetime monitoring of the workforce. Without common legislation and policy development on a North/South basis, unsuitable individuals will be able to exploit the border, and Members have highlighted recent such cases. Given the all-Ireland nature of sporting and faith groups, if the arrangements are to work, there must be a clear understanding with the Twenty-six Counties on their implementation.

As *Mary Bradley* said, many people work on one side of the border and live on the other. That highlights again the fact that effective barring and vetting arrangements need to be put in place on an all-island basis, with the highest level of co-operation. Last year, my colleague *Bairbre de Brún* was instrumental in developing a North/South seminar, which was organised by the Department of Health and the South's Department of

Children and attended by the respective Ministers. The key professionals who attended the seminar displayed no shortage of energy and enthusiasm on the need to work together.

The Minister has already looked at this topic and has held useful recent meetings with his counterpart in the Irish Republic. One of the key issues to arise from the seminar was the need for some kind of regular forum to examine child-protection issues on an all-Ireland basis. That is a massive agenda, encompassing a range of Departments in the North and South. Therefore, I propose that OFMDFM, as a matter of urgency, places the matter high on the agenda for the next sectoral meeting of the North/South Ministerial Council.

The Health and Education Ministers, in conjunction with their counterparts in Dublin, should publish a discussion document that sets out the current levels of co-operation on the management of sex offenders, and all that goes with that. The Minister of Health, in conjunction with his colleague in Dublin, should establish a North/South child-protection forum to look at specific operations and policy issues —

Mr Deputy Speaker: Order. Your time is up.

Ms S Ramsey: I realise that the Minister may not have time to respond to all those points, but I would appreciate —

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

Mr Beggs: I support amendment No 2. As Members have said, sexual offenders do not recognise international borders but try to exploit weaknesses in the system. The management of sex offenders is not only a North/South issue; it is an east-west, European and international issue. Any policy that is based solely on an all-island, North/South approach will fail. Narrow political ideologies should not come before children's safety. Sinn Féin's motion is flawed.

5.00 pm

The weakness in the system lies in the Republic of Ireland, but its weakness is our weakness. As others have said, there is a memorandum of understanding between the United Kingdom and the Republic of Ireland. Sex offenders from Scotland, Wales and other places can come to the Republic of Ireland and cross our borders. This issue is clearly much wider than a North/South concern.

Amendment No 1 recognises that there is a threat when sex offenders from Northern Ireland move to Great Britain, but what about sex offenders who cross the border from the Republic of Ireland? What about those offenders who would be maintained on Northern Ireland's register of sex offenders, which would limit their employment in Northern Ireland? No equivalent lists exist in the Republic of Ireland, so those people can be successfully employed in positions in Northern

Ireland. Their weakness is our weakness, and it is endangering all our children. Amendment No 1 is incomplete, and I call on the DUP not to be governed by its narrow political ideology.

Northern Ireland follows the legislation that exists in the rest of the United Kingdom, and it is widely recognised that the United Kingdom has some of the most comprehensive legislation in the world to deal with sex offenders. There is a disqualification from working with children list and an unsuitable persons list. The people on those lists have not even been convicted of a criminal offence, but they have raised concern with statutory agencies. There are methods of vetting through criminal records. As others have said, we have a multi-agency sex offender risk assessment and management system.

I too welcome the news of the sexual offences Order, which will follow the lines of the Sexual Offences Act 2003, but why did we have to wait for four years for additional legislation to protect our children? As a side issue, the Secretary of State also announced that powers to expand curfews and electronic tagging would be considered. That must be welcomed, because it will mean additional tools to protect and safeguard children from sex offenders who, at some point, are released into society. There is a clear flaw when such people cannot be monitored 24 hours a day.

The weakness in the system lies in the Republic of Ireland, and no one wants it to become a haven for paedophiles, as would appear to be the case. However, as the border is porous — and again I say that their weakness is our weakness — we need changes in the Republic of Ireland to protect our children. If that is done on a North/South basis, or through the British-Irish Council, that is fine, but narrow political ideology is no reason for not making changes. We must use all means at our disposal to work with the Republic of Ireland to bring it up to modern-day standards because, without those changes, our children remain at risk.

There is a very high attrition rate in the prosecution of sexual offences — only about 5% of offenders are successfully prosecuted. It is important that those additional lists are created in the Irish Republic, so that when people from the Republic of Ireland apply for jobs in Northern Ireland that involve our children, we are aware of their history and their background, and inappropriate people do not gain access. It is important that changes occur there.

Furthermore, there is risk management associated with sex offenders when they are released back into the community. That is why issues such as electronic tagging are important. In Northern Ireland, we have various methods of assessment for level 1 and level 2 offenders, and that happens automatically. However, in the Republic of Ireland, that happens only in cases of

court action. Changes must happen in the Republic of Ireland.

Mr Attwood: I apologise to the House that I was absent for 20 minutes, but the Speaker and I had a meeting, and I was in some conflict over where I should be. Therefore, I apologise that I did not hear the full debate.

I welcome the debate and I acknowledge the briefing that was provided by relevant agencies including the NSPCC, which has heavily informed the sensible substance of the debate.

However, the points that I wish to make are political. I make those points despite Roy Beggs's reference to narrow ideology. Although a party's views may be seen to stem from a narrow ideology, on this issue the House should look beyond arguments based on narrow ideologies to the best architecture to protect young children and vulnerable adults on this island, between these islands, and beyond.

In the event that policing and justice powers are devolved, part of the current architecture that protects children and that deals with justice and policing issues falls. At present, there is a British-Irish agreement on justice, and one on policing matters. At the point of devolution, when those two agreements fall, there will be a vacuum. With a vacuum comes risks that may jeopardise young people on this island. I ask the House to ensure — through the Assembly and Executive Review Committee and any other appropriate mechanisms — that, when justice and policing powers are devolved, North/South agreements on justice and policing are in place to advance the good work that has already been done on a British-Irish basis to protect young children, as well as vulnerable young people and adults.

In the period until then, I ask that the Minister uses his good offices to ensure that there is agreement on this, and any other relevant issue, so that a vacuum is not created and that joined-up justice and policing is implemented that maximises the protection of individuals — especially children.

Mr Beggs: Does the Member accept that there is no need to wait for six months, a year, two years or five years? Why can standards in the Republic of Ireland not be raised immediately to the same level as those in the UK in order to protect our children?

Mr Attwood: I agree. Those politicians in the Chamber who have said that the South is lacking in protections must converse. The South needs to hear from them where those weaknesses lie. As the NSPCC and other briefings have confirmed, the South lags behind in child protection measures compared with Britain and Northern Ireland, which are considered world leaders in that field.

How will that conversation be taken forward? One way in which it could be done would be to create the North/South parliamentary forum in which politicians from the North and South talk to one another rather than have Ministers, officials or experts talk to one another. That is not about ideology; rather, it is about the protection of the citizens on this island. We in the North — where there is better protection for children — could inform politicians in the South about how to improve their standards. Without that form of action, Mr Beggs's voice will not be heard by a TD or a Senator in the South, because the conversation will be at a ministerial level and official level, which, although relevant, will not be between the politicians in this Chamber and the politicians in the South.

I ask the Minister to ensure that politicians' voices are heard on the matter through the early establishment of the a North/South parliamentary forum. This is not about ideology but about maximising the political impact of politicians in the North in order to convince our counterparts in the South that improving protection of their children will improve the protection of all children on the island.

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

Mrs Hanna: I support the motion and amendment No 2. Child protection presents a complex array of challenges in an already difficult situation for the trained professionals who are trying to help and protect children from harm. However, the protection of children is the responsibility of their parents, family, the statutory and voluntary sectors and the rest of society. Even though much has been done in Northern Ireland in recent years to improve child-protection measures, a multi-agency and interdepartmental approach is required. That is practised to a degree, but there is room for improvement. Several high-profile child protection cases in the North and South of Ireland have verified the need for developments and changes. Members may have heard in the media today of another sad case in which the lives of a young person and a family have been ruined. As has been said, the automatic 50% remission for offenders will exacerbate that damage and hurt. That reduction in sentences is unacceptable, especially in cases of sexual abuse.

Even though I welcome the relatively new memorandum of understanding regarding sex offenders, more can be done to improve the cross-border co-operation. For instance, it is important that all professionals and volunteers who work with children are subjected to police checks before they are hired. In the Republic of Ireland, the checks taken by the Central Gardaí Vetting Unit provide information on police convictions, but they do not include any soft information such as allegations, concerns or inquiries about the applicant. Neither do the checks cross-reference against those on the sex offenders' register, unlike the system in the

North which is more comprehensive and includes such information.

The importance of that cross-border co-operation and parity on child protection cannot be overstated. People who want to harm children are not put off by borders, as we have seen in Ireland and throughout Europe. We have seen cases in which opportunistic, convicted, high-risk sex offenders have fled to the South to escape the rigour of the law and to evade justice. Loopholes — whether in the law or in practice — in either jurisdiction must be filled so that the risk of potential exploitation by those who seek to harm children is reduced.

Governments and agencies must, together, develop ways of working to make sure that every child north or south of the border is properly protected. With the influx of migrant workers from the EU, interjurisdictional protocols to ensure an easier, more efficient and comprehensive exchange of information on sex offenders between the PSNI, the Gardaí and foreign police services are also vital. Sharing information is crucial; however, I am aware how different child protection systems are in the North and the South. Systems for sharing the information need to be adequately developed and strengthened if we are to ensure that those who are a risk to children do not exploit the differences and loopholes. It is not a straightforward task, and interconnected Government policies are required. A comprehensive vetting service and an all-island register are two ways of improving the child protection system on the island. Allied to that are funding arrangements that will have to be put in place for improved services.

The Department of Health, Social Services and Public Safety, the Department of Education and OFMDFM have a role to play in safeguarding vulnerable children and young people in Northern Ireland. As health spokesperson for the SDLP, I am keen to ensure that safeguarding the welfare of children remains a high priority for all, and we have an opportunity to do that during this time of considerable administrative reform in the Health Service.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): Children are our most precious asset, and they must be protected and nurtured in a positive environment if we are to have a stable and progressive society. The statutory responsibility for the protection of children does not fall to one Department, group or individual. The Department of Health, Social Services and Public Safety and the Department of Education have specific responsibilities for child protection; however, all Departments that work with children or fund organisations that work with children have child-protection responsibilities.

5.15 pm

The registration of sex offenders is the responsibility of the Northern Ireland Office, and I fully agree that information on sex offenders should be shared between jurisdictions. We all have a responsibility — whether as parents, family members, or neighbours — to protect children from sexual predators who prey on some of the most vulnerable members of society.

I also share the concern of others about the location of hostels near schools and family homes that house sex offenders when they are released from prison. Full and open debate is required on the need for a “Sarah’s Law” in Northern Ireland. This should also be the subject of an ongoing debate between the Executive and the Northern Ireland Office.

Society expects us, as legislators, to provide powers and legislation to ensure the protection of children. Our legislation and arrangements for monitoring and vetting, and for the regulation of services, are primarily aimed at protecting children from stranger abuse, or from abuse by known offenders.

Unfortunately, most abuse takes place within families and extended family circles, and is often associated with domestic violence, parental drug and alcohol abuse, mental-health problems, and families under stress. Those situations often limit the capacity of parents to adequately care for their children, and young people who are abused often suffer mental-health problems. Further investment in family-support services offers the best potential for reducing levels of child abuse within the family. The same is true of many new or expanded services that will require an increase in the health and social care budget. I have been making that point strongly to my Executive colleagues.

Ninety per cent of what is commonly referred to as child protection actually falls under the heading of safeguarding, whereby measures are put in place in order to prevent children and young people from being subjected to abuse. The monitoring of sex offenders and the vetting and barring of unsuitable persons from working with children are the best known ways of safeguarding.

Overall responsibility for the management of sex offenders in Northern Ireland rests with the NIO, and is managed through the multi-agency sex offender risk assessment and management system. Those arrangements should reduce the offender’s opportunity to reoffend, although we are all aware of occasions where reoffending has occurred while the offender was being monitored.

The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 has improved safeguards for children and vulnerable adults by preventing unsuitable people from working with them in paid or

voluntary positions. In order to do that, the Department maintains lists of individuals who are considered unsuitable to work with children and vulnerable adults. That disqualifies them from working with children and means that they will commit an offence if they apply for, accept, or do any work — either paid or unpaid — in a childcare position.

There has been continuous progress in the UK in efforts to strengthen arrangements. That has sometimes been in response to technological changes in the workplace, but, unfortunately, it has sometimes been in response to lessons learned from cases in which children were abducted, abused or murdered. No system of protection will ever be perfect, but we have a responsibility to make our arrangements as effective as possible, to continue to take steps to improve the internal arrangements of Northern Ireland, and to improve collaboration with the Republic of Ireland and the UK.

Paul Butler mentioned the Bichard Inquiry, which focused on the failure of police forces and social services to share information with one another after the murders committed by Ian Huntley in Soham. New arrangements to be introduced by The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 will address those concerns, and that will enable the sharing of information between police forces and social services across the UK.

As a result of North/South co-operation, a memorandum of understanding was signed last year to ensure that information on sex offenders who plan to travel between Ireland and the UK, including Northern Ireland, is shared by the relevant police forces. This means that when someone from the South seeks employment with children in Northern Ireland, the vetting procedure will include a criminal record check by gardaí that would show up any conviction for a sex offence.

However, therein lies one of the problems. Although we in the UK have safeguarding and barring arrangements, the Irish Republic’s problem is that it has a written constitution. The family is specially enshrined within the constitution, so the Republic cannot simply pass laws — there must be constitutional change. We are well aware that that is always a difficult issue in the Republic.

I had a meeting recently with Brendan Smith, the Minister for Children down South. We discussed those issues and the need to introduce legislation in the Republic, which is well recognised in Dublin. That is probably the key issue. If the situation were to develop rapidly, it could mean that a series of constitutional changes would be needed in sequence. However, that is a matter for the Republic, and they are aware of the problem, the challenge and the need to change.

All those on the sex offenders registers in the Republic and the UK must inform the police of where and when they intend to travel if it is for more than a certain length of time. The memorandum of understanding — the first agreement of its type in the world — means that our police forces share that information about all sex offenders who plan to travel between the two states. The Agreement on Co-operation on Criminal Justice Matters between the Irish and British Governments was signed in July 2005. There is a significant level of co-operation between gardaí and the police here at an operational level on those matters.

As has been said, the border is no respecter. This is not an issue of political positions or political correctness: it is an issue about what needs to be done to safeguard our children. That applies in Northern Ireland, the Republic and the home countries. We must work together closely. My officials and their counterparts in the Republic of Ireland liaise closely on developments in their respective jurisdictions. We work closely with our counterparts in the South to ensure that they are kept abreast of developments, and we will continue to provide information and assistance to them based on our experience. I have already referred to the meeting I had recently with the Minister for Children in Dublin.

The arrangements for the sex offenders register lie with the Northern Ireland Office. I do not have the authority to raise the issue at a North/South Ministerial Council meeting. However, I will be happy to raise the matter at the British-Irish Council, as all the relevant authorities would be together. I will continue to discuss the full range of child protection issues in my regular meetings in the Republic and throughout the British Isles.

The Executive needs to have some oversight of the decisions by the NIO on the arrangements for the management of sex offenders.

All Departments must discharge their responsibilities for protecting children. I hope that there is a clear understanding that providing support to families dealing with domestic violence and parental drug- and -alcohol abuse, and the provision of better mental-health services will, in practice, have the biggest impact on protecting our children.

Dr Deeny: I thank all the Members who have contributed to the debate. I thank the Minister for being here and for his commitment to this serious issue.

The Minister said that the problem of sex offenders affected society, and that health professionals should not be the only people to deal with the issue. To focus on the health thing and the sex offences that we hear about, the fallout and the aftermath can be devastating for the people concerned. They often do not recover from the serious health situations that result from their having been sexually abused. That is important to point out, and it is why I am interested in this issue.

I am convinced that the people who commit those crimes are evil. As a doctor, I hear time and again from across the water, talk of providing medication that might, somehow, help paedophiles. That appals me, because it attempts to medicalise those evil acts. We often hear that paedophiles must be sick. That is an insult to the sick. I work with the sick, and none of them do things like this. Those are my own personal views.

The Minister mentioned Sarah's Law. I am not too sure. The releasing of offenders' names is certainly an avenue to look at; however, when that happened in the US, a lot more people cleared off, ran away and disappeared. We need to look at that again. Withholding the names and allowing offenders to stay in an area might permit more monitoring. That needs to be discussed and talked about. The public insists on the proper registration and monitoring of sex offenders.

Members have spoken of recent cases. There was a horrific situation not so long ago in Castlederg. I heard about one this morning — I think Carmel talked about it too. It was a young boy on the radio this morning, talking about his terrible ordeal. Another gentleman was found in the South, and the position there has to be sorted out.

The punishment must fit the crime. Mr Weir mentioned 50% remission, and I agree that that has to be looked at seriously, along with judicial accountability. However, that is an argument for another place. When one sees the consequences of some people's actions, it is appalling that they are free to roam the streets and reoffend after just a few years in prison. When those people are released and undergoing rehabilitation, proper registration and monitoring must be involved, whether it be tagging or whatever. That is their punishment, and it is how they must pay.

Sensitive, but important, issues such as this must be discussed, and it is what politics should be about. Therefore, I thank Carál and Paul Butler for tabling the motion and for accepting amendment No 2. To be precise, it was tabled by the United Community group — not just the Alliance Party. There are another two of us.

There is a realisation and an understanding — and it was mentioned by a number of people: Mary Bradley, Sue Ramsey and others — that borders do not count when we are talking about sex offenders. I thank them for accepting the amendment. Members also mentioned that the debate should be widened to include the whole of Europe as well as these islands.

The United Community amendment was tabled to demonstrate how serious we are about this important issue. The duty of pursuing it must be assumed at levels as high as the North/South Ministerial Council and the British-Irish Council.

Tommy Buchanan means well, but amendment No 1 is too vague. On reading that amendment, it appears

that culprits only travel in one direction — from Northern Ireland to Great Britain. Of course, there is the reverse direction, and indeed North to South and South to North. Amendment No 1 also mentions “all relevant departments”. That does not specify who needs to be responsible for this important issue. Its lack of emphasis undermines that importance, and that is why I ask Members to support the motion and amendment No 2.

Mr Easton: I support amendment No 1. The evidence clearly shows that those who perpetrate sexual offences against children know no borders or boundaries. Therefore, Government's response must be to introduce an effective and proactive system of information-sharing, registration and monitoring which is fit for purpose and has the capacity to address the dangers and challenges presented by such dangerous perpetrators.

Sex offenders target, groom and exploit victims whenever and in whatever opportunities arise. The lives of victims and survivors are characterised by the severity of the traumatic stresses they have suffered.

Often, flashbacks of the abuse endured bring back the pain. The mental scars will often outlast the physical scars. Sadly, eating disorders, self-harm and suicide attempts are all too prevalent in the life stories of survivors of sexual abuse.

5.30 pm

The statement that “prevention is better than cure” is particularly relevant today. The onus must be on the prevention of abuse and the protection of society, and measures to enhance information sharing and the monitoring of sex offenders must be introduced as a matter of urgency. In so doing, we can proactively protect the community, and let us note that many survivors of abuse come from the most vulnerable groups in society.

We must also recognise, in the debate, the outstanding efforts of those who work in this area. I draw attention, in particular, to the excellent job done by the Police Service's child abuse and rape enquiry units, and the professionalism of the social workers, psychologists and psychiatrists who provide a public service to the victims of child abuse.

The charitable organisations in the voluntary sector that provide counselling and healing therapies for survivors deserve the highest possible commendation. The work being undertaken locally by the National Society for the Prevention of Cruelty to Children and Barnardo's is worthy of particular mention.

Let us learn the lessons that the research reveals: there is an appalling rate of reoffending by child sex abusers. The best strategy to deal with them necessitates a multi-agency response that can register and monitor

the perpetrators, combined with stiffer sentences that ensure that those people will never be released from jail.

In supporting the amendment, Members will rise to the challenge that the perpetrators of child abuse present. We will provide a more effective system of protection and prevent other children from suffering the horror of abuse. The progress that is being made in transport, information technology and communications presents us with the challenge of ensuring that the perpetrators of child abuse can be effectively monitored, as they become more flexible in their transport and communication arrangements. The motion goes some way towards allowing us to do that.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún. This has been a very important debate, and I value every Member's contribution. It is evident that we do not want the House to divide on the matter. To that end, it is possible to support both amendments without division.

I am grateful for the opportunity to speak on this important matter that embraces all communities and our respective constituencies. As Alex Attwood pointed out, a devolved and locally sensitive Government can achieve improved outcomes. The transfer of policing and justice is only one of those outcomes. Mary Bradley also mentioned that the Assembly is in a position to do something about the issue.

Dealing with those who would harm children and vulnerable adults has become a borderless matter. Sexual predators do not recognise partition, and every Member who spoke pointed that out to some degree. Increased movement of population through the EU, the availability of cut-price travel and rapidly changing technologies all present a huge challenge to us.

Last week, the police forces in Britain, in conjunction with their Irish counterpart, the Garda Síochána, announced the start of Operation Pentameter 2, a Britain- and Ireland-wide operation designed to locate and rescue the victims of trafficking. We have also seen the creation of the Virtual Global Taskforce, which is designed to bring about international co-operation to deal with Internet sex abuse and, lately, the UK Child Exploitation and Online Protection Centre (CEOP), which aims to police the Internet and catch those who seek to exploit the lives of the vulnerable.

Social networking, which is becoming increasingly mobile, has become a feature of many young people's lives. Unfortunately, there are well-documented cases of dangerous individuals grooming children over the Internet and travelling, sometimes from overseas, to meet and abuse them.

In Britain, the appalling spectre of sex tourism has been partially countered by new powers and Orders to

restrict the movements of registered sex offenders when they attempt to leave the jurisdiction. Furthermore, when individuals are convicted of offences overseas, they can be made the subject of notification Orders on return.

All those developments are based on the fact that dangerous people are not any respecters of borders, boundaries, laws or values. Indeed, some will actively seek to exploit international boundaries and loopholes; that fact has been mentioned by almost every Member who has spoken during the debate. In response, we must remain on the offensive and ensure that our legislation and policies counter that exploitation. It is also important to ensure that the best use is made of operational co-operation and information exchanges in, and between, states.

In these islands, there are two different systems for dealing with sexual offenders — sex offender management, vetting, and barring regarding the protection of children, and safeguards for our children; Thomas Buchanan outlined the importance of that.

I welcome the interest that there has been on this issue between the British and Irish Governments, and the signing of the memorandum of understanding. I also welcome the interest that the previous direct rule Ministers with responsibility for health, social services and public safety, Shaun Woodward and Paul Goggins, showed in taking forward a seminar in October 2006 on cross-border co-operation with Brian Lenihan TD, who was the then Minister for Children.

On this issue alone, much more can be done to ensure that our child protection systems are harmonised and can be operated in a more seamless way across the border. Naomi Long referred to harmonisation in her contribution. For example, the Department of Health, Social Services and Public Safety will shortly launch the new child death review protocol, which was instigated in part by the review into the case of David Briggs. That protocol could easily be adopted in the South and operate in a seamless way across this island.

Through devolution, high levels of aspiration must be turned into direct action. We must ensure that systems are in place to deal with a range of measures. For example, Sue Ramsey spoke in detail about the development of common policy, assessment and risk management arrangements when dealing with sex offenders. It would be foolish for us to have different structural and management arrangements for the registration of sex offenders, North, South, east, west or elsewhere.

The Minister of Health, Social Services and Public Safety spoke about the development of vetting and barring on an all-island basis. Although I know that there are constitutional issues south of the border that are often cited for difficulties in developing vetting

arrangements, it seems that it is neither helpful — nor is it to anyone's advantage — to have an individual barred from, or deemed unsuitable in, one jurisdiction but able to work in another; measures regarding that need to be tightened.

There will be an increased gap between the two jurisdictions in both legislation and practice because of the changes to the vetting and barring arrangements in the North that are to take place in this jurisdiction next year through the implementation of Access NI, and the provisions of the Safeguarding Vulnerable Groups (NI) Order 2007.

Vetting is only part of good safeguarding and recruitment practice. Given that most sporting and faith groups now operate on an all-island basis, it makes sense to ensure that a joined-up approach on advice and guidance is being given to both Health Departments.

Naomi Long, as I mentioned earlier, discussed the issue of harmonisation and the co-operation across borders and boundaries. John McCallister spoke about the need to think bigger and to strengthen, where possible, legislation for vulnerable children and adults. I support those positions.

We also need to have a mechanism to take forward developments collectively and allow the North/South Ministerial Council to have ministerial oversight and to take political direction on both parts of this island on those matters. One of the early tasks on the agenda should be an examination of the gaps and differences that exist and how we might deal with those on both sides of the border.

Finally, given that there are devolved and reserved aspects to the subject and that the responsibility for policy is split among several Government Departments, it would be useful if officials from the Department of Education, the Department of Health, Social Services and Public Safety, the NIO and the Office of the First Minister and deputy First Minister could report to the Assembly setting out current levels of North/South co-operation on assessment, risk management, vetting, barring, and child protection generally, and identifying the work that has yet to be done.

I thank all the Members who spoke in the debate, each with sensitivity and compassion. Obviously, there will be no Division. As the Minister said, children everywhere must be protected and nurtured; and that must be the case all over this island. I support the motion. Go raibh maith agat.

Mr Deputy Speaker: Before I put the question on amendment No 1, I would advise Members that if amendment No 1 is made, amendment No 2 will fall, and I will proceed to put the question on the motion as amended.

Question, That amendment No 1 be made, put and negatived.

Question, That amendment No 2 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly expresses concern at the disparity in child protection regulations and the registration of sexual offenders across the island of Ireland; and calls for early sectoral meetings of the North-South Ministerial Council and the British-Irish Council including the Department of Health, Social Services and Public Safety, the Department of Education and the Office of the First Minister and deputy First Minister to address the disparity.

Motion made:

That the Assembly do now adjourn. — [*Mr Deputy Speaker*]

ADJOURNMENT

The future of Donaghadee High School

Mr Easton: Donaghadee High School is a co-educational school for 11- to 16-year-olds, and is perceived by its community to be a very good school. In 2006, the school celebrated its fiftieth anniversary. Many pupils of 11-plus age and above travel from Donaghadee to schools in Bangor and Newtownards, and as a consequence, the viability of the school, in the present segregated, 11-plus system, has been threatened. As the song tells us, those journeys are in the order of at least six miles.

The failure of the South Eastern Education and Library Board to undertake an effective review and reorganisation of school provision has added to, and fuelled, the feeling of uncertainty in the minds of parents about the future of Donaghadee High School. For any school to be blighted in that way damages pupils and staff, and condemns the community to a future without a secondary school. For the town, it is like the death of a thousand cuts, leading slowly and painfully to extinction.

Donaghadee, like any large rural town, needs a secondary school in the heart of its community. In many towns, it might be wise to consider amalgamation of the primary school and the secondary school under one administration to achieve economic success, so that children do not have to travel considerable distances to be educated. It is also the case that many people are moving into Donaghadee and its hinterland, and the general population of Donaghadee is on the rise.

We are in the midst of chaotic times in education; and that chaos has been exacerbated by the tensions attendant on the review of public administration (RPA). We are unsure about the outcome of the RPA; we are uncertain about the future of the 11-plus; and we are not able to describe the future structure of the education system.

This is not the time to close schools. It is not the time to ignore the rights of parents to have their children educated in their own town, with their own friends as classmates, and in a school that has done much to encourage a vibrant, inclusive culture in Donaghadee.

We must make hard economic choices, and education is not exempt from that necessity. In that context, we must all recognise the cost to society of segregated education and its impact on community, cohesion and solidarity. While we engage in a debate about a future

state education system that will provide the opportunity for children to be educated together, and which respects and honours diversity, we must also respect the wishes of parents who want that experience for their children now.

5.45 pm

Donaghadee High School has applied for integrated status, partly in an attempt to maintain viability but also on the basis of its long tradition of cross-community work and the promotion of a culture of tolerance among its pupils by a staff of skilled and dedicated teachers and auxiliary staff, whose positions are now under threat because of the commissioners' announcement.

It is vital that the townspeople and the school are given an opportunity to explore the possibilities of that arrangement while the Assembly works out the way forward for all of us. The school must be given the chance to remain viable and to grow, and to ensure its place in the social, cultural, educational and economic life in the town of Donaghadee.

Along with NICCY, I call on the Minister of Education to support Donaghadee High School's application for integrated status and to give the staff and parents a reasonable period to succeed in their determination to retain a local integrated secondary school at the heart of their community. The parents and pupils of Donaghadee do not want to lose their school, and they do not want the proposed merger with Movilla High School. A letter that I have received from the board of governors of Movilla High School states that the board has voted to oppose the merger, which indicates that there is no appetite for such a venture.

Since then, the commissioners have declared that the merger is off the agenda and are now aiming for the complete closure of Donaghadee High School. I condemn that announcement, because we have yet to carry out the consultation on integrated status and present a business plan. I call for the South Eastern Education and Library Board, the commissioners and the Minister of Education to give Donaghadee High School a fair chance to come up with a viable business case to prove that there is a need for the school. There is clear evidence that there are more than enough pupils in the Ards Peninsula area to make the school viable. Why not merge the local primary school, which is situated on the same site and has over 300 pupils? The secondary school also has a special needs basis, with over 90 pupils in that category, so it is a specialised high school. A viable business case can be made, and I call on the parents, teachers and board of governors to work together on a business plan.

I have tabled this debate in the Assembly to state my support for the Donaghadee people, which I hope will encourage others to stand by them at this worrying

time. To those who wish to see the school close without a fight — I will give those people a fight that will leave no doubt about the determination of the people of Donaghadee. I warn the Minister of Education that if she can open Irish-language schools for 12 pupils, she can save Donaghadee High School, which has over 200 pupils. I will stand with the pupils, parents and teachers who are here today. Let us unite and try to save Donaghadee High School.

Mr Cree: On 17 September 2007, the Minister of Education told the House:

"Pupil numbers are clearly an important factor in assessing the future viability of schools, but they should not be the sole factor." — [*Official Report, Bound Volume 23, p323, col 1*].

That came as no surprise to many Members. She listed the other factors as:

"the educational experience of the children, the financial position of the school, leadership and management at the school, accessibility, and links with the community." — [*Official Report, Bound Volume 23, p323, col 1*].

The consultation document issued by the former direct rule Administration on a policy for sustainable schools is still under discussion. The Assembly was assured that it was necessary that any review of a school's future viability should be handled carefully and sensitively, and that local circumstances must be considered on a case-by-case basis. During the same Question Time, Members discovered that the Minister had approved the opening of an Irish-language school that had an intake of 12 pupils, and they received an insight into her logic when they were told:

"if there are 12 pupils in primary 1, a long-term enrolment for a seven-class school can be calculated by multiplying 12 by seven." — [*Official Report, Bound Volume 23, p323, col 2*].

That long-term enrolment is subject to a deduction because of the projected population figures. However, it totally ignores major issues such as new house building in the area and other imminent development proposals. Donaghadee and other parts of the constituency of North Down are subject to considerable development; I will return to that issue.

In the South Eastern Education and Library Board area, commissioners have been appointed who appear to be autonomous. They make decisions that will have a significant effect on children and their school careers. A primary school in nearby Conlig — an academy that I graduated from many years ago — has served the community well for many decades. It has had a most difficult time because of those commissioners. At a recent meeting between interested parties, the governors were able to satisfy all the requirements that were laid down by the Minister, yet the commissioners decided to push ahead with a proposal to close the school.

Some 1,600 houses that are under construction in the area are to be completed within the next two years.

The Minister will now have two proposals on her desk at the same time: one to close the school, and one to allow the school to transform. All interested parties say yes; the commissioners say no. That is just not good enough. The same woolliness is demonstrated in respect of Donaghadee High School and Movilla High School. Consultation has been ongoing for some time. We have been told that formal consultation by the South Eastern Education and Library Board is to take place during the autumn term, which is now.

Any proposal that the board brings forward for the rationalisation of post-primary provision in the area could mean the publication of a further report and more consultation. All of that consultation is suspect, because it may not be heeded. The delay in resolving the issue is detrimental to the good governance of both schools. Sensitive, sympathetic and prompt action is needed to remove the blight that mars the progress of several schools in the south-east region.

Dr Farry: I welcome the opportunity to discuss the situation with regard to Donaghadee High School. Donaghadee could potentially become one of the largest — if not the largest — settlements in Northern Ireland without a dedicated secondary school. All Members would consider that a tragic outcome. That said, I am realistic and I appreciate that there are current difficulties with enrolment figures at Donaghadee High School, which are considerably lower than the level that was set by Sir George Bain in his report of December 2006, and in the Department's subsequent draft policy on sustainable schools.

That policy set out a framework in which decisions can be taken on rationalisation of the school estate. I fully recognise that difficult choices must be made, given the huge number of empty school places — around 50,000 at present, which could rise to 80,000 in a few years' time. Therefore, there is a need to redirect resources from school buildings, where there are often large overhead costs, towards ensuring that the scarce education budget is focused on the needs of children and on supporting teachers' and schools' support staff, such as classroom assistants.

It is, therefore, disappointing that there is not yet a formal departmental policy within which difficult choices on rationalisation could be taken. There is an urgent need for the Department to bring forward its formal policy on sustainable schools. The consultation period closed six months ago, during April 2007. Given that so much pressure is being applied right across the various education sectors, there is a need to bring forward a clear policy as soon as possible in order to give guidance to people who are faced with difficult choices.

In that context, the option of integrated schools becomes much more attractive. My party firmly believes

that integrated schools are the most viable form of education for the social good — the best interests of pupils — as well as for financial considerations. Often, people in towns and villages must make difficult decisions on the rationalisation of their schools. The integrated route may provide a more sustainable local option, as opposed to sectors having to merge across a large geographical area, resulting in children having to travel a greater distance to school.

Integrated education is a more viable way of ensuring the continuation of local provision. Therefore the proposal for Donaghadee High School to transform to integrated status should be considered in that broader context.

It is worth pointing out that there are already some very successful integrated secondary schools in the North Down and Ards area. Strangford College, in Carrowdore, is well oversubscribed. Priory Integrated College, in Holywood, has been artificially capped by the Department of Education. However, there is clear evidence that that cap can be broken and a much higher level of enrolment sustained, well above the limit of 500 pupils that was suggested by Sir George Bain.

Clearly, there is scope for additional integrated education in the greater North Down and Ards area, at secondary level. The same argument applies at primary-school level, where Bangor Central Primary School is perhaps the most successful integrated primary school in Northern Ireland. Similarly, Glencraig Primary School, at Seahill, is equally successful.

Leslie Cree mentioned the proposal for the transformation of Conlig Primary School. While its numbers are well below the Bain threshold figure for primary schools, there is considerable evidence of housing growth in that area over the coming years. An integrated primary school would, of course, provide the maximum appeal to people who move into the area, many of whom will be young parents with children of primary school age. Therefore, there are opportunities to be considered, if we take a wider look at what is actually happening. Indeed, just to stress that point, there is the potential for 1,600 housing units to be built in a one-mile radius of Conlig Primary School, and there are similar degrees of building going on in the vicinity of Donaghadee.

It is worth noting that Ards Borough Council takes a proactive approach in encouraging additional housing units for its council area, of which Donaghadee is a key part. Obviously, there are difficulties whenever schools seek to transform to integrated status in the face of what is a threatened closure. I prefer that schools would consider that issue much earlier. However, the overall thrust of the Bain Report is that schools should look to those types of solutions to

become more sustainable. That is what the parents in Donaghadee seek to do through the proposal.

I have a major concern that the Department seeks to consider proposals for closure, or amalgamation, in parallel with proposals for transformation to integrated status. That is seriously detrimental to consideration of the integrated proposal, which should be considered first. We have the same problem with Donaghadee High School and Conlig Primary School. I ask the Minister of Education to reassure us that her Department will consider all proposals for integration — in advance of any decisions regarding closures or amalgamations — so that full consideration is given to creating locally sustainable options.

It may also be worth considering whether Donaghadee High School is viable as a campus of Strangford College, and whether a solution can be found in that wider context. I would also like the Minister to consider the issue of viability criteria for integrated schools. Her predecessor, as Minister of Education, Mr McGuinness —

Mr Deputy Speaker: I invite you to draw your remarks to a close, Dr Farry. Do you wish to draw them to a close?

Dr Farry: I would like to continue, if I may. Are you telling me —

Mr Deputy Speaker: OK. Thank you. I call Mr Peter Weir.

Mr Weir: My colleague says that I should try to bring some sense to the proceedings. I welcome the opportunity for the debate, and I thank my colleague for raising the issue. With regard to Donaghadee High School, it is important to examine the recent history of the current proposal and to understand where it came from.

In March 2006, when the issue of general provision of education was considered in Donaghadee, the South-Eastern Education and Library Board (SEELB) convened a special workshop to deal with Donaghadee, Millisle and the north-east Ards area. A number of public representatives attended the workshop, including myself and my colleague from Ards Borough Council, Councillor Bell.

Alderman Wilson may well have been present, too. It was very clear from that workshop that both the board officials and members had reached a consensus that the way forward for Donaghadee was not amalgamation or the closure of its high school, but the creation of an all-age school — a suggestion that my colleague Alex Easton made.

A successful primary school already operates on the same site as the high school, so if there were greater integration and better throughput — allied with the current proposal for integrated status — there would

be a clear route forward for the school. The Department, by its own admission, recognises that there is no post-primary integrated education provision in Bangor, Donaghadee or Millisle. Thus, if the school is given breathing space, a clear route forward can be taken that will make the school viable in the long term.

6.00 pm

However, the unelected commissioners who were imposed on the South Eastern Education and Library Board came up with the proposal for either closure of the school or its amalgamation with Movilla High School. Anyone who has talked to the parents, the governors or teachers of either Donaghadee High School or Movilla High School will know that that imposed solution clearly bears no relation to what would work on the ground. The proposal is opposed not only by all those involved with Donaghadee High School, but those involved with Movilla High School.

If Donaghadee High School were to be closed tomorrow, it would clearly not be a panacea for Movilla High School. The pupils from Donaghadee High School would not simply transfer to Movilla High School; they would be scattered around a wide range of schools. Thus, the proposal for amalgamation is very much a non-starter.

Within the framework of a new beginning for Donaghadee High School — by way of an all-age school and integrated status — it is clear that it is not the case that Donaghadee is a declining community whose reduced numbers could not sustain a high school. I think that I am right in saying that Dr Farry stated that if the school were to close, it would mean that Donaghadee would be the largest town in Northern Ireland without a secondary school.

Donaghadee and its surrounding area have experienced substantial growth in recent years, and is due to experience even greater growth in years to come. There is, therefore, clearly an influx of people who could sustain the school, if it is placed on the right footing. I appeal to the Department, even at this late hour, to show a degree common sense and give the school breathing space.

However, there is another issue at stake, and it has been touched on only briefly. Mention was made earlier of special-needs provision in Donaghadee, and, at present, some degree of provision has been put in place for about 90 children. More particularly, around 50 of those 90 children are in the separate special-needs unit of Donaghadee High School. What will happen to those children who currently are in an environment that enables them to progress and learn if Donaghadee High School closes? When questions were asked about that earlier this year, the Department indicated that there were no other special-needs units

in the secondary sector in Millisle, Donaghadee or Bangor that could cater for the children involved.

Indeed, in the Department's response to a question from my colleague Miss McIlveen, there was not, at the stage, any evidence of expressions of interests from any other secondary school in the Bangor, Donaghadee or Millisle area that showed that they would be willing to take on those special-needs pupils. What is to happen to those children? Are they simply to be scattered to the four winds? All the good work that has been carried out in Donaghadee High School to nurture those pupils will go to waste.

It is clear that if Donaghadee High School is given a fresh opportunity and some space, and if the Department applies a bit of common sense, the situation can be turned around, and we can have a very successful school that contributes valuably to the local community. I appeal to the Minister to show that common sense today and to overturn the proposals of the unelected and out-of-touch commissioners of the South Eastern Education and Library Board. She should show a bit of faith in Donaghadee and retain Donaghadee High School. I urge the Minister to respond positively to the proposals that my colleagues and I have put forward today.

Mr B Wilson: Speaking as another unemployed member of the South Eastern Education and Library Board in the last year or so, I believe that this matter should not be decided by unelected commissioners but by the members of the South Eastern Board.

I support integrated education, and I have been involved in its promotion since the All Children Together campaigns nearly 20 years ago. This application for integrated status is valid because there is considerable demand for integrated education in North Down. As Mr Farry pointed out, Strangford College is over subscribed and Priory College could take more pupils. St Columbanus College in Bangor, although it is not the same type of school, is pretty well integrated, 50:50, and could take more pupils if it were allowed to do so. However, its intake has also been capped. The demand for children to be educated together is there, and that fact should be considered in this instance.

I would like to think that this application could be successful, but I am concerned that several applications for integrated status have been submitted by schools because they are under the threat of closure. That strategy may save schools for a couple of years, but in the longer term it may lead to unviability and closure. It is totally unacceptable to use integrated education as an excuse to keep a school open. However, I do not believe that that is the case as regards Donaghadee High School. It will be important for the school to consider its long-term enrolment, because there are

serious problems; and the issue of long-term viability must be considered and other options prepared, if the viability criteria cannot be met.

The South Eastern Board figures show that Donaghadee High School enrolled 12 new mainstream pupils in September 2006 and did so again this year. If that situation were to continue, the school will have fewer than 100 pupils in five years' time. Nobody could argue that that number would make for a viable post-primary school, because enrolment would amount to one fifth of the target set by the Bain Report, and we should be looking to implement that report.

As other Members have said, more building is taking place in Donaghadee, and the figures I have mentioned might be only a blip — but we must be honest and admit that an annual enrolment of 12 pupils a year — *[Interruption.]*

Dr Farry: I thank the Member for giving way — I think he needs a glass of water.

Will the Member agree that there is a particularly strong case for changing the viability criteria as regards the religious balance of pupils in the integrated sector in north Down and Ards? In particular, it may be difficult to maintain the 70:30 Protestant/Catholic split over the 10-year target period. The large number of people — within what is defined as the minority segments — who define themselves as “others” should be taken into account in order to improve the viability of every school in that area.

Mr B Wilson: I agree. The population of north Down is imbalanced. However, there are many “others” who would not identify with either tradition but who would be very keen on integrated education. Donaghadee High School could provide a place for those children to go in the longer term.

However, it is not in the best interests of pupils to have a school with an enrolment of fewer than 100 pupils, which might be the case if present trends continue. Under such circumstances pupils might miss the many opportunities that would be available at larger schools. The Bain Report focused on amalgamations, or joining schools in partnerships so that they can use each others' facilities and maximise opportunities for their students. That is the way forward.

I hope that the Department of Education will reconsider Donaghadee High School's application for integrated status and that the application will be successful. There is a demand in the north Down area for such a school, and integrated status for Donaghadee High School would allow it to look forward to a brighter future.

Mr McFarland: I worry greatly about the current state of education policy. It is in a complete mess; there is a constant drip, drip, drip throughout the

Province as schools close here and there. I am greatly concerned that there are moves afoot to close Donaghadee High School on viability criteria. It is deemed that there are not enough pupils to keep it open. The number of pupils at a school is related to the number of people who live in an area. I am sure that the Minister of Education has closely examined the regional development strategy, because that document gave Ards Borough Council 4,500 houses to build, and, for reasons known to itself, it volunteered to take an extra 3,000 houses. Some 7,500 houses are being built in the Movilla area of Newtownards and in Donaghadee. I urge the Minister to go to Donaghadee. Every time we canvass during an election campaign in Donaghadee, we need a map, because one, if not two, more estates have been built and roads expanded. It is a rapidly expanding town, with more people moving into the area. I cannot for the life of me understand how, with an expanding population and new houses being built, a decision to close the high school is in the offing.

I have also been in contact with the Minister about Priory College, which is being prevented from expanding because it does not have enough pupils. It does not have enough pupils because the system will not allow it to have any more pupils. That is a ludicrous, catch-22 situation, yet, as my colleague Mr Cree has said, an Irish-speaking school can be built for 12 pupils. The whole criteria policy is absolutely barking. The education system will probably develop into a system of something like academic schools and vocational schools, although how that system will evolve has not been decided. I cannot understand why it is in such a mess.

I urge the Minister to keep Donaghadee High School open until there is a clear education plan that takes into account the population increases in Donaghadee and the changes that are likely to come from a change in educational philosophy that results in a move either to academic schools and vocational schools or to another system. In the absence of any clear plan on the future of education, I urge the Minister not to close schools, and certainly not Donaghadee High School.

The Minister of Education (Ms Ruane): Go raibh maith agat. The future planning of the controlled schools estate in the South Eastern Education and Library Board area, which includes Donaghadee High School, is, in the first instance, a matter for the board. To date, the board has not submitted any proposals to the Department for Donaghadee High School.

Is eol dom go bhfuil an bord i ndiaidh dul i gcomhairle le gobharnóirí, foireann teagaisc, agus tuismitheoirí in Ardscoil Dhomhnach Daoi agus in Ardscoil Mhaigh Bhile maidir leis an fhéidearthacht go ndeanfaí an da scoil a chónascadh, le héifeacht ó Mhéan Fómhair 2008.

I am aware that the board has initiated consultation with governors, staff and parents at Donaghadee High School and Movilla High School on the possibility of amalgamating the two with effect from September 2008. Before I go into detail on that, I wish to make two points.

6.15 pm

First, please stop playing politics with the Irish language in schools. Members are not even comparing like with like, because today's debate is about post-primary schools. The criteria for the establishment of an Irish-medium school in the North of Ireland are exactly the same as for an English-medium school, whether in the maintained, controlled or any other sector.

To receive funding, Irish-medium schools must meet the same criteria as any other proposed new school. For primary schools — not post-primary schools — the year 1 intake must be at least 15 pupils in Belfast and Derry, and 12 pupils elsewhere. It is the same for controlled, maintained and integrated schools.

Therefore, that issue can be put to rest. I do not know about other Members, but I am sure that anyone listening to the debate is sick and tired of people abusing information, giving out wrong information and using scare tactics. The education system in the North presents enough difficulties. In the past couple of days, I had the unpleasant task of informing the principal of St Gabriel's College that the school does not have enough pupils. I take any decision on school closures extremely seriously. Therefore, I ask Members not to play at politics on the issue.

Donaghadee High School and Movilla High School have been experiencing falling enrolments, primarily as a result of demographic changes in the area. Donaghadee High School has an approved enrolment of 380 places. Ten years ago, its enrolment was 327 pupils, and today it has 213 pupils, including 48 children who attend a special unit. Movilla High School has an approved enrolment of 900 pupils. Ten years ago, its enrolment was 888 pupils, and the figure has now fallen to 652. It was in that context that the board determined that a review of school provision in the area was necessary.

After meetings on 15 May 2007, the SEELB advised that both boards of governors agreed that it was appropriate to consult staff and parents from the two schools on a possible amalgamation. Meetings were held during May and June with the board of governors, parents and staff of both schools. The SEELB will present the outcomes of those consultations to the commissioners to inform their decision-making. To date, no decisions have been made.

The parents of some children who attend Donaghadee High School are particularly concerned about the future of the special-needs provision at the

school. The four special units located at Donaghadee High School cater for pupils with moderate learning difficulties from year 8 to year 10. That provision will remain for the 2007–08 academic year, and parents of pupils in the unit have been advised accordingly.

Whatever decisions the South Eastern Education and Library Board take on the future of Donaghadee High School, it has a statutory duty to make the special education provision and placement necessary to meet the needs of each individual child, as outlined in the statement of special needs.

In recent weeks, the board advised the Department that parents of children at Donaghadee High School had submitted a request to the school's board of governors that a ballot be held on whether the school should move to controlled, integrated status. As more than 20% of parents signed the request, the governors resolved to hold a ballot, and the Electoral Reform Society has been asked to conduct it. The board has advised that the closing date for the ballot is 22 October 2007 and, if successful, the board of governors must submit a development proposal to the South Eastern Education and Library Board for the school's transformation to integrated status.

Post-primary schools that seek to transform to integrated status must demonstrate the ability to draw at least 10% of their year 8 intake from the minority religion in the first year of operation, and the potential to achieve a figure of 30% in the longer term. Other factors that must be taken into account include the long-term viability of the school and evidence of the school's awareness of, commitment to, and preparation for, the process of integration. The impact of any change in status on other schools in the area must also be considered. The SEELB commissioners must decide whether to proceed with the proposal for the amalgamation. However, if it is decided to proceed with any change to the school, there is a statutory requirement for a development proposal to be published.

In response to Stephen Farry's question, no proposals have been published for Donaghadee High School. If two proposals are published at the same time, they will both be considered, in line with current procedures. All relevant information will be carefully considered before any decisions are made, including issues such as new housing estates, which Alan McFarland mentioned, and projected pupil numbers. Before such a proposal is published, there is a requirement for the relevant education and library board to consult any schools that may be affected. There is also a duty on the proposer to consult governors, parents and teachers of the school or schools that are the subject of the proposal.

Following publication of the proposal, there is a statutory period of two months during which representations can be made to the Department in

support of — or against — the proposal. No doubt, I will receive letters from people requesting meetings about that, and I will be happy to meet those people. At the end of the two-month period, the Department evaluates all the relevant information on the proposal in order to decide whether it should be approved. All development proposals are considered on their individual merits. It would be inappropriate for me to comment on potential future proposals for Donaghadee High School, because I will be required to make a decision on any published development proposal and I cannot pre-empt the outcome of the development proposal process. However, it is important to recognise the issues that face us as we plan future education requirements.

The biggest issue that affects all of us is demographics. The demographic trends in the North of Ireland present the education system with the major challenge of ensuring that schools remain educationally viable and that they avoid inefficiencies arising from excess surplus capacity. The strategic review of education — the Bain Report — was undertaken in the context of important challenges that were presented by the reduction in pupil numbers. School rolls fell by 9%, which amounts to 30,000 pupils over the past decade, and they are projected to fall by a further 9.5%, which amounts to a further 30,000 pupils over the next 10 years. That places increasing strains on budgets and on teaching staff in schools with falling numbers, which can impact on the quality of children's education.

The Bain Report recommended that there be an estate of fewer, larger schools, with greater collaboration and integration in and across school sectors. I agree with the general thrust of the report and with the objective of providing modern fit-for-purpose schools that provide high-quality education for all our children. Many of the recommendations require further detailed work, and the report could certainly not be implemented overnight.

Dr Farry: Does the Minister recognise that schools in all sectors face difficult choices in respect of rationalisation? In the absence of revised up-to-date guidelines from the Department, resulting from the Bain Report on sustainable schools, when will the Minister's Department have that framework in place?

Ms Ruane: Go raibh maith agat. I wish to congratulate Dr Farry on his use of Irish earlier. We will have to find out the name of the UUP teacher who taught him at Queen's University, because he or she is obviously very good.

On a more serious note, I will address some of the issues that Dr Farry mentioned. The Bain Report recommended that provision should move to a system of schools that are educationally and financially viable for the long term, planned on an area basis. That should

help to reduce problems of over-provision, provide the choice that parents and children need in a period of change to pupil numbers, and ensure that communities have the schools that they need.

Dr Farry pre-empted me on the sustainable schools policy. At the heart of area-based planning is the need to provide a system of strong, viable schools. We are considering the responses to the consultation on sustainable-schools policies. The draft policy document proposed the enrolment thresholds that had been recommended in the Bain Report, which were: 105 pupils for rural primary schools; 140 pupils for urban primary schools; and 500 pupils for post-primary schools for 11- to 16-year-olds, or 14- to 19-year-olds, or whatever the provision may be. The Bain Report did not state that schools below those levels automatically need to be rationalised. Instead, schools below those thresholds were to be reviewed to consider whether they continued to provide high-quality education for children.

Concerns about a school's viability are often only raised when enrolments have fallen irreversibly. The indicative criteria in the policy are intended to provide a framework for early consideration and possible remedial action. The level of enrolment is only one of six proposed criteria for helping to assess school viability. Others include the educational experience of the children, the financial position of the school, the leadership and management of the school, and its accessibility and links with the community. The core objective of the policy is high-quality education for children regardless of their background or where they live.

The entitlement framework is also part of the creation of the schools estate. The introduction of the revised curriculum and the entitlement framework aims to provide young people with a broad and balanced education, with access to a range of courses both generic, which means academic, and applied, which means vocational and technical.

The Education Order 2006 places a mandatory requirement on boards of governors to provide all pupils at grant-aided schools with access to the entitlement framework. From September 2009, schools will be required to provide pupils with access to a minimum number of courses at Key Stage 4 and post-16 levels. In both cases, at least one third of the courses must be general and one third applied, that is, vocational and technical. For most schools, some form of collaboration with other schools or FE (further education) colleges and training providers will be necessary to enable pupils to have that. I am glad to say that many post-primary schools are doing that now, and some of them are very successful. This is going to be very challenging for schools.

In conclusion, I have not received any proposals from the SEELB in relation to the future of Donaghadee High School.

Maidir le moltaí a thugann na húdaráis oideachais cuí chun cinn, beidh orm eispéiris na bpáistí atá i gceist a mheas anois agus sa todhchaí. Ba é seo an príomhshlat tomhais ar leagadh béim air is gcáipeis polasaí scoileanna inbhuanaithe. In regard to proposals brought forward by relevant education authorities, I must consider the educational experiences of the children concerned, both now and in the future. That was the key criterion highlighted in the sustainable-school policy document, and we are looking at it before announcing proposals.

I am sure that Members will agree that in all the proposals that I am asked to decide on, my prime concern must be the educational experiences of the children. However, the proper process must be adhered to. Although I welcome the opportunity to debate this issue, I feel that it is a little premature, because I have not received development proposals yet. Go raibh maith agat.

Adjourned at 6.28 pm.

NORTHERN IRELAND ASSEMBLY

Monday 15 October 2007

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr Speaker: Last Monday, Mr Attwood raised a point of order about the absence of a ministerial statement on a matter that he described as being “of heightened public interest”. I undertook to report back to the Assembly after discussing the matter with the Business Committee.

Although I understand that Members may feel frustrated, I stress that I cannot direct a member of the Executive to make a statement to the Assembly. That decision is for the Executive or the individual Minister concerned.

I am also aware that the Committee on Procedures is considering the possibility of allowing written statements. I await with interest the Committee’s decision on that.

In the meantime, however, I assure Members that I have encouraged — and will continue to encourage — the Executive to ensure that Ministers make statements to the House on important matters. I will continue to accommodate Ministers’ requests when at all possible.

Therefore, no breach of Standing Orders has occurred.

Mr Attwood: On a point of order, Mr Speaker —

Mr Speaker: I understand that the Member is anxious to respond, but I propose first to deal with another point of order that was raised in the House last week.

During last Tuesday’s debate on the Irish language, Mr Alban Maginness raised a point of order asking me to rule on the issue of a Member’s leaving and returning to the Chamber during debate, and, specifically, whether that was a discourtesy to the Assembly.

I have alerted the Business Committee previously to certain standards relating to the attendance of Members who wish to take part in debates. Those standards include: attending for, and making references to, earlier contributions; remaining in the Chamber for at least two further contributions after their own; and returning to the Chamber to hear the winding-up speeches. I

have also said that Members should, during their own speeches, provide an explanation to the House if they find that they are unable to meet those standards.

Having considered the request from Mr Alban Maginness, I do not intend to take any further action on the specific incident that gave rise to his query. However, all Members should act in an orderly manner at all times, both towards one another and to the Speaker and Deputy Speakers. Members should take care not to obstruct the business of the Assembly or challenge the authority of the Speaker, and I remind Members that Standing Order 60 allows the Speaker to take action if Members choose to behave inappropriately.

Although I am grateful to Mr Alban Maginness for raising the issue, I hope that we will not have to return to this matter soon.

Mr Attwood, you indicated that you wish to raise a point of order.

Mr Attwood: Thank you for the attention that you have paid to this matter, Mr Speaker. I welcome that you have said today that, where appropriate, you would encourage Ministers to make statements.

On a point of order, given that there is no procedure for written statements only as a means of communicating with Members of the House, is it in order for Ministers to use a note to Members as an alternative to a statement, when such a note is, in content, character, nature and in all other circumstances, the equivalent to statements that are covered by the Standing Orders of the House? The minute — as it was described — that was forwarded to MLAs last week through their pigeonholes was a statement in character, nature, content and in all ways.

Mr Speaker: I hear what the Member says. However, Standing Orders are clear. It was not a statement to the House — and that is the issue. It is for individual Ministers to decide whether to send letters or notes. I have said to the Business Committee and to the House continually that it is not for the Speaker to direct Ministers or the Executive on when they should bring ministerial statements to the House. Standing Orders cover ministerial statements only when they are brought to the House.

EXECUTIVE BUSINESS

Draft Renewables Obligation (Amendment) Order (Northern Ireland) 2007

The Minister of Enterprise, Trade and Investment (Mr Dodds): I beg to move

That the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2007 be approved.

I seek the Assembly's approval of this statutory rule, which introduces a technical amendment to the operation of the Northern Ireland renewables obligation (NIRO). The amendment is necessary to maintain the effective operation of the NIRO in the single electricity market for the island of Ireland. Therefore, there is the need for the Order to be in place by 1 November 2007, which is the go-live date for the single electricity market.

This statutory rule is being made under powers contained in the Energy (Northern Ireland) Order 2003, which prescribes that the Order must be laid in draft for approval by affirmative legislation of the Assembly. Nonetheless, although there is a statutory requirement for this detailed legislative procedure, I should explain at the outset that this particular statutory rule is purely technical: it involves no change to existing policy; it has no cross-cutting elements, and it is non-controversial.

I will now outline why the amendment is needed and also give some background to the renewables obligation, because it is a complex mechanism to comprehend for anyone who is not closely associated with its operation. NIRO is the main plank in our renewables policy. Since its introduction in 2005, it has supported the development of renewable sources of electricity generation in Northern Ireland as we progress towards our target of 12% for the proportion of our electricity that is to come from such sources by 2012. To date, the success of NIRO has been evident in the 60% increase in planning applications for wind farms during its first year of operation and the fact that we now have 1,000 MW of wind capacity in the planning process.

NIRO provides a financial incentive to eligible generators and renewables developers through a system of certificates known as NIROCs, which are awarded for each megawatt-hour of their output that is consumed in Northern Ireland. Those certificates are, in turn, needed by electricity suppliers to demonstrate that the proportion of their sales specified in the NIRO legislation for any particular year can be accounted for by renewables generation. Otherwise, they must pay a buyout fee to meet their obligation under NIRO.

NIROCs, therefore, have a tradable value, which is typically in the region of £40 to £50 and which provides an additional revenue stream to generators of green electricity. NIRO operates in tandem with similar

obligations in Great Britain in a single United Kingdom-wide market for these renewables obligation certificates. That provides a viable market for such certificates and ensures the effective operation of NIRO. Moreover, the fact that the mechanism is enshrined in legislation provides certainty for investors and developers alike.

The introduction of the single market in electricity, and, specifically, the all-island wholesale pool into which all generators with a capacity of over 10 MW of electricity must sell out, will introduce complications for the operation of NIRO. That is because electricity is purchased from the pool by suppliers across Northern Ireland and the Irish Republic, and it will, therefore, be difficult for our renewables generators to confirm that they are meeting NIRO criteria and that their output is consumed in Northern Ireland.

The provisions of the statutory rule before the Assembly are intended to address that issue. They augment the existing criteria specified in article 16 of the Renewables Obligation Order (Northern Ireland) 2007 to take account of electricity sold through the single market. Specifically, they will enable generators who sell electricity into the single electricity market pool to comply with the criterion relating to supply in Northern Ireland by entering into a bilateral agreement, referred to in the draft Order as a "relevant arrangement", with a Northern Ireland supplier. That "relevant arrangement" will account for equivalent amounts of electricity being sold into the pool by the generators and purchased from the pool and sold to customers in Northern Ireland by the supplier. I am sure that Members will be grateful if I do not give a line-by-line explanation of the draft Order, but I am happy to provide any clarification needed in response to Members' questions.

The Order will ensure that generators of renewable electricity — both existing generators and new developers — will be able to access the financial benefits of NIRO under the new single-market arrangements. Fundamentally, it will ensure that Northern Ireland's renewables policy remains robust and effective after the introduction of the new arrangements on 1 November.

I want to refer briefly to the other small technical amendment in this statutory rule. Members will note that article 3 of the draft Order amends references to "the Company" in the 2007 Order from "Northern Ireland Electricity plc" to "NIE Energy Ltd". That reflects the structural changes being made to NIE's business in order to comply with article 15 of the European directive concerning common rules for corporate restructure, which, in the case of NIE, will separate its supply activities from its distribution activities.

12.15 pm

The Deputy Chairperson of the Committee for Enterprise, Trade and Investment (Mr P Maskey): Go raibh maith agat, a Cheann Comhairle. The

Committee considered proposals relating to the operation of the Northern Ireland renewables obligation (NIRO) within the single electricity market on 22 May 2007, and then again on 26 June 2007. NIRO is the main policy mechanism to promote the development of renewable sources of electricity, and it plays a critical role in ensuring the continuing viability of renewable generating stations such as wind farms.

The Committee has considered the necessity of the Order in maintaining the integrity and effectiveness of NIRO within the single electricity market that is due to be introduced to the island of Ireland on 1 November 2007. Following consideration of the proposals for NIRO, the Committee subsequently considered the Order on 18 September and recommends that it be affirmed by the Assembly. Go raibh maith agat.

Mr Gallagher: I have a few points to make, and I will take them in the order in which the Minister dealt with them. He mentioned the number of planning applications that are in the system; I am sure that many Members will agree with me that applications for wind farms and other forms of renewable electricity are spending far too many years in that planning system. There are a great many obstacles there to be overcome. Given the importance of achieving the targets that have been referred to — and, in my view, we should be aiming to exceed those targets — there must be a more streamlined system for dealing with planning applications. They certainly need to be dealt with in a shorter time frame than at present.

My reason for making that point is that there is massive investment behind each of those applications, and the investors are unlikely to hang around for three or four years while our planners take the applications through the system. They can go to other countries in Europe — and, indeed, outside Europe — and have their plans dealt with in months, or certainly within one year.

The Minister referred to bilateral arrangements between companies — no doubt they are helpful to those involved. However, this problem goes beyond such arrangements. As far as the island of Ireland is concerned, with the single energy market coming in on 1 November 2007, there must be an arrangement between the two Governments to facilitate and promote the development of alternatives.

The current mechanism allows for the NIROCs to be tradable, but they are only tradable in Northern Ireland and the UK. Given the potential in the north-west of this island, and particularly in Ulster and Connaught, for the promotion of wind farms, there should be a mechanism that allows those certificates to be traded across the border. I call on the Minister to consult with the Irish Government about putting such a mechanism in place. I understand that, even if it were in

place, there would be a problem as far as the Irish Government are concerned, because they have no equivalent of the NIROC system. I understand that their system is known by the acronym REFIT, which stands for the Renewable Energy Feed-In Tariff scheme. There is a challenge there for the Governments, and it is time that they got down to the work of harmonising the two markets and removing the restrictions to which I have referred. This island is the second-best wind resource in Europe and has the potential to produce much more electricity. The two Governments should be developing that potential.

I welcome the creation of a viable market, but I want to see a viable all-Ireland market as well, so that renewables can be sourced and traded on either side of the border. In that way, we will be taking steps to ensure that we achieve our targets.

Mr Neeson: I very much welcome the development of the single electricity market, and I look forward to proposals for the creation of a single natural-gas market. I have two questions for the Minister. First, will he assure me that he and his Department will co-operate with other Executive Departments on increasing the development of renewable energy sources in Northern Ireland? Secondly, will he update the Assembly on the progress made on the wave-power experiment in Strangford Lough?

Mr Newton: I thank the Minister for his statement. This is an important piece of legislation, and progress in this area will be welcomed by householders and the business community across the board. It is an example of co-operation with another state that will bring benefit to our people and, in the longer term especially, to the manufacturing industry, which is under great pressure.

The Minister will be fully aware that over the past years there has been a lobby for competitive supplies of all forms of energy in Northern Ireland, particularly the supply of electricity, and that there has been a strong feeling that more could have been done to bring unit costs more in line with those in other parts of the United Kingdom.

I note that the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2007 imposes a compulsion on all electricity suppliers who are licensed under the Electricity (Single Wholesale Market)(Northern Ireland) Order 2007 to supply customers in Northern Ireland with specific amounts of electricity from renewable sources and, indeed, that targets have been set. That is to be welcomed. It is a step forward and will be welcomed by everyone; in particular, by those who are concerned about the environment. I suppose that we all should share that concern.

It is a very technical piece of legislation; however, the salient facts are easily understood. Suppliers must meet a legal requirement to account for a specific amount,

and an increasing proportion, of their electricity being supplied from renewable sources. That cannot be a bad thing. Alternatively, they must pay a buy-out fee that is proportionate to any shortfall. They must also provide evidence of compliance by presenting renewable obligation certificates from generators of renewable energy for each megawatt hour of eligible output.

In welcoming the Minister's statement, I am pleased that, in general, it is another indication of the Assembly working, and I hope that the benefits of the legislation may soon be seen across all sections of the Northern Ireland community.

Mr Storey: I support the motion, and I concur with the comments made by the Member for Fermanagh and South Tyrone Mr Gallagher about the number of applications for wind farms that are currently in the system. Some have a particular importance and relevance for my own constituency of North Antrim. I concur also with the remarks of my colleague the Member for East Belfast Mr Newton with regard to the provision of this benefit to the Northern Ireland economy.

Although the Minister rightly said that the amendment introduced by Statutory Rule in the House today is technical, it gives Members an opportunity to focus their minds on the importance of encouraging the use of renewable energy sources such as wind, water, solar power and biomass. I take this opportunity also to remind the Minister and the House of the ongoing concerns in my constituency with regard to the particular problem that we have under the ground — lignite. I reassure the Minister that those concerns are still there, and in the light of the importance that is given to documentation with regard to renewables, I trust that that lignite will remain firmly under the ground for the rest of our generation and will never be exploited as a fossil fuel.

That being the case, I welcome the Minister's announcement. He referred to the target of 12% of electricity from renewable sources by 2012. That is just five years away, so it is important that we give that target the priority that it deserves.

I welcome the proposed amendment to The Renewables Obligation Order (Northern Ireland) 2007, even though it will be a technical amendment. The single electricity market is imminent, so it is only right and proper that, under the renewables obligation, our renewable generators get the credit for supplying energy to Northern Ireland consumers. Can the Minister indicate the likely financial loss to the renewables industry if the current position is not rectified as proposed? Moreover, I should appreciate it if the Minister were to clarify whether a wind farm in the Irish Republic would qualify for a certificate if it were linked directly to the Northern Ireland grid.

The single electricity market has had negative press in recent days. Does the Minister agree that it has the potential to transform the electricity market in Northern Ireland? Does he agree that it could open up new and exciting possibilities for a regional European market that involves the rest of the United Kingdom and countries such as France?

In conclusion, I should appreciate it if the Minister were to agree that such a competitive market potentially has the dynamic to deliver considerable benefits to Northern Ireland's electricity consumers.

Mr Dodds: I am grateful to all Members who contributed to the debate for their consideration of this draft Statutory Rule. I am pleased to note the broad support for its provisions. The draft Order is technical, and it deals with a complicated area, but Members touched on important points.

I shall try to deal with particular points that Members raised, but if I am unable to do so now, I shall respond in writing to Members in greater detail.

Mr Gallagher raised the matter of the planning context and the need to streamline decisions. As he will be aware, those responsibilities fall primarily to the Department of the Environment. However, I assure him that my Department will work closely at official level with the Department of the Environment, because, from our perspective, we wish to process those matters as quickly as possible.

Moreover, Mr Gallagher mentioned the harmonisation of renewable support mechanisms for Northern Ireland and the Irish Republic. There have been indications that the Irish Republic will follow Northern Ireland down the renewables obligation route. As was mentioned, the Irish Republic decided to introduce a feed-in tariff as its principal support mechanism.

Attempts to make financial support in one jurisdiction available to generators in another would be fraught with complications. Harmonisation of the existing renewable-energy support schemes in Northern Ireland and the Republic presents practical difficulties that would take considerable time to address. As I mentioned, different schemes operate in the two jurisdictions. The Irish Republic operates a feed-in tariff, while NIRO is linked to the renewables obligation in Great Britain. Moreover, separate state-aid approvals would require separate renegotiation with the European Union. Therefore, major problems exist with the kind of approach that Mr Gallagher outlined.

Mr Neeson spoke positively about the single electricity market, and I welcome his comments. I shall deal with the more general issues that he raised in a moment. In particular, he mentioned the project for Strangford Lough, and I know that that topic has been raised on several occasions. The proposal for a marine-current

turbine would put the lough at the leading edge of tidal-stream technology. If the turbine is successfully installed, the project will be a renewables exemplar for the world, providing 1 MW of marine-based electricity to the Northern Ireland grid.

12.30 pm

Plans to install the turbine in August 2007 had to be aborted because of technical difficulties that were outside the developer's control. I am informed that any revised installation date will have to take account of seasonal and environmental issues as well as the availability of the necessary installation equipment.

I am grateful to Robin Newton for his contribution and for his positive remarks about the single electricity market. Although that issue is not being debated, it is relevant in the context of the draft Renewable Obligation (Amendment) Order (Northern Ireland) 2007. Several Members, including Mervyn Storey, have already — and rightly — described the benefits that the single electricity market brings to Northern Ireland. That market is a good classic example of the sort of economic co-operation that works for the mutual benefit of business and domestic electricity consumers in the Irish Republic and Northern Ireland. It makes sense to co-operate in that area.

Under a wider EU policy aim, of which the single electricity market forms a part, not only will the electricity markets in Northern Ireland and the Irish Republic be linked eventually, but they will be connected to the market in Great Britain and, ultimately, to that in France. That will create further benefits for domestic and business consumers across a much wider area, thereby representing a positive development for our consumers. An independent cost-benefit analysis has estimated that those links will create overall net benefits that are worth £103 million over 10 years. Those benefits, most of which will go to consumers, will be split between Northern Ireland and the Irish Republic. The new market has the potential to deliver additional dynamic benefits of £135 million to £170 million across the island over 10 years to facilitate the creation of more competitive and wholesale retail markets.

Those are important points, especially given that some comments have been made about the introduction of a policy that sometimes focuses on increases in tariffs. It is important to bear in mind that the overall effect of the introduction of the new arrangements will lead to downward pressure on prices in the medium to long term.

As Mervyn Storey tends to do assiduously on behalf of his constituents, he also mentioned lignite. It is no surprise that he chose to mention that subject again today. May I put his mind and, no doubt, those of his constituents to rest by making it clear that my Department's policy focus remains on increasing the use of

renewable energy rather than on the exploitation of alternative fossil fuel sources. The Geological Survey of Northern Ireland has proposed a three-year extension to the moratorium on lignite. People will welcome that move as a positive step, and I know that the Committee for Enterprise, Trade and Investment discussed the issue recently.

Mr Storey also mentioned the potential financial loss if the draft Order did not amend NIRO. If we do not approve the draft Order today, a failure to provide for NIRO within the single electricity market could lead to an annual loss to the existing renewables industry of around £9 million. Therefore, although the draft Order is technical in nature, it has an important effect.

Members also asked what would happen if generators in the Irish Republic were granted renewable obligation certificates. As I have said, the Irish Republic operates a separate grant-based support scheme for its indigenous renewable generation, and NIRO precludes generating stations that are located outside Northern Ireland from being eligible for renewable obligation certificates.

I conclude by restating the importance of the draft Order to ensuring the effectiveness of NIRO in the new single-market arrangements. It is imperative that Northern Ireland develops increased sources of renewable energy as we seek to play our part in addressing climate change and making our energy supply more secure.

The draft Order will ensure that our renewables policy remains robust and effective in the new electricity-market arrangements. I am delighted to be able to introduce this important piece of Executive legislation. Members on all sides of the House will be delighted to know that we are discussing legislation, albeit technical and complex legislation. Nevertheless, it is important, effective legislation that will — and does — make a difference for the people whom we represent.

Question put and agreed to.

Resolved:

That the draft Renewable Obligation (Amendment) Order (Northern Ireland) 2007 be approved.

PRIVATE MEMBERS' BUSINESS

Bill of Rights Forum Membership

Mr Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for a winding-up speech. All other Members who wish to speak will have five minutes. Two amendments have been received and are published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes for a winding-up speech.

Miss McIlveen: I beg to move

That this Assembly acknowledges that the unionist community has been largely excluded from the human rights process in Northern Ireland and under-represented within the human rights sector, resulting in the Bill of Rights Forum having a clear imbalance in the composition of its membership; believes that without the support of all sections of our community any Bill of Rights process is fundamentally flawed; and calls upon the Secretary of State to address these problems urgently, by ensuring processes that will facilitate better engagement with the unionist community and ensuring that the membership of the Bill of Rights Forum is more reflective of all the people of Northern Ireland.

Throughout history, those of the unionist tradition have had no difficulties with the issue of human rights in general; we need only look at the Bill of Rights, which was enacted in 1689 as a result of the activities of King James II. That piece of legislation is so good that the Republic of Ireland decided to retain it under the Statute Law Revision Act 2007. Indeed, it remains in force in the United Kingdom. In fact, it formed the basis of that most vaunted piece of legislation, the US Bill of Rights, which was produced in 1789.

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

In addition to the Bill of Rights, we also have the Human Rights Act 1998, which incorporates into UK law the European Convention on Human Rights. The rights that are espoused are protected and enforced by an independent judiciary. Given that those two fundamental pieces of legislation are in place, I wonder why we need a Bill of Rights Forum at all. The answer is, of course, contained in the Belfast Agreement, in which a:

“new Northern Ireland Human Rights Commission...will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and — taken together with the ECHR — to constitute a Bill of Rights for Northern Ireland.”

The Bill of Rights Forum's role is to formulate recommendations to the Northern Ireland Human Rights Commission (NIHRC) as it fulfils its statutory

duty in providing advice to the Secretary of State on a future bill of rights for Northern Ireland.

I am sure that Members will agree that those are noble enough sentiments. However, surely bodies that are set up to protect the rights of the people of Northern Ireland should be reflective of those people.

In the first incarnation of the NIHRC, a unionist with a capital “u” could not have been found about the place. However, one would have found: Tom Donnelly of the SDLP; Angela Hegarty, a former vice-chairperson of the SDLP; Francis McGuinness of Trócaire; and Ms Patricia Kelly of the Children's Law Centre. Patricia Kelly was on the board of the Centre for Research and Documentation in west Belfast. That body was co-founded by Caitríona Ruane, the Minister of Education and expert in South American human rights, and it is renowned for its publication of republican literature.

Selection for the NIHRC was intended, naturally, to portray community balance: instead, it was reflective of a sector that has been skewed against unionists. Some efforts have gone into rectifying the situation in the present incarnation of the NIHRC, but the mistakes are once again evident in the Bill of Rights Forum.

Even though the forum comprises three representatives each from the DUP, UUP, SDLP and Sinn Féin respectively and two representatives from the Alliance Party — which is not indicative of the electoral wishes of the people of Northern Ireland — it is completed by 14 unelected representatives. I say “representatives”, but in the majority of cases, there is no accountability.

Two unelected representatives are from the Churches: one from the Roman Catholic Church, and one from the Irish Council of Churches, which has amongst its membership representatives from congregations as diverse as the Russian Orthodox Church, the Rock of Ages Cherubim and Seraphim Church, the Antiochian Orthodox Church in Ireland, the Church of Ireland and the Presbyterian Church. The evangelical Churches in Northern Ireland do not have the benefit of a voice on the forum. Of the 102,221 other Christian-related church attendees who took part in the 2001 census, approximately 95,000 have no say.

The alternate to Annie Campbell, as women's representative on the forum, is Margaret Ward — a widely published author of numerous books about militant Irish nationalist women. It does not take an incredible stretch of the imagination to appreciate her political leanings: they are a little more red than pink. She is director of the women's resource and development agency, and is co-convenor, along with Sorcha McKenna, of the children and young people and women's working group. Children are represented by Patricia Kelly. I have no difficulty with republican children being represented, but unionist children must also have a champion.

The human rights sector is represented by Aileen Gilmore of the Committee on the Administration of Justice (CAJ), who is also convener of the working group for the preamble and interpretation. Kieran McEvoy sits on the working group for civil and political rights, and Maggie Beirne sits on the working group for economic and social rights.

The CAJ is no friend of unionism, and that is clear from its recent report 'Equality in Northern Ireland: the rhetoric and the reality'. It styles itself as an independent, cross-community, human rights organisation, but its documents reek of anti-unionism and anti-Britishness. The CAJ does not sit on the working group for criminal justice and victims, but its appointed legal advisers are Mary O'Rawe and Linda Moore who have been published by the CAJ. Mary O'Rawe has appeared as a member of the CAJ before the House of Commons along with previous NIHR chief commissioner, Brice Dickson — hardly anything to enhance unionist confidence.

Mr Attwood: On a point of order, Mr Deputy Speaker. Will you make a ruling on whether it is appropriate for a Member to list people's names — *[Interruption.]*

Mr Campbell: That is not a point of order.

Mr Attwood: It is a point of order, and I ask the Member to hear me out. Is it in order for a Member to list a series of people's names in the House for the record, associate those people with the CAJ and subsequently refer to them as producing documents that "reek of anti-unionism and anti-Britishness"? Is it in order to associate individuals with that sort of partisan and narrow comment? Is it not out of order that those people are named in such a way?

Mr Deputy Speaker: The simple answer to your question, Mr Attwood, is that it is in order to do so: it is part and parcel of political cut and thrust, and that is why Members have limited privilege in the House.

Mr Attwood: It may well be cut and thrust between political parties and politicians, but to visit those sorts of comments upon individuals who are carrying out their functions in the public world — I suggest to you, Mr Deputy Speaker — is out of order and inappropriate for the House.

Mr Deputy Speaker: Mr Attwood, I have made a ruling. It is perfectly in order.

Miss McIlveen: Thank you, Mr Deputy Speaker. I was merely setting the scene and putting my comments into context.

12.45 pm

Amazingly, at a time when Northern Ireland seeks a bill of rights to:

"reflect the particular circumstances of Northern Ireland"

the Loyal Orders are not given their voice in any of the working groups, let alone in the forum itself. Instead, they have been given the token status of observer. What is more particular to Northern Ireland than our marching culture? The Orange Order has around 75,000 members. On the other side of the coin, Mr Hanway, the representative of the Travelling community, speaks for 7,100 Travellers, according to the 2001 census.

Over the years, Northern Ireland's human rights sector has been hijacked for political purposes by anti-unionists. People who would not have been elected are given equal, and sometimes greater, status than those who have been mandated by the electorate of Northern Ireland. The NIHR was meant to reflect the community make-up but does not, and neither does the Bill of Rights Forum.

Valid issues were raised in 'The Irish News' last week, when it was claimed that the bill of rights was in danger of becoming "a left-wing wish list". That is little wonder, with the panel of communists, Marxists and socialists that has been assembled. I echo the representations made by the CBI to the NIHR that:

"additional rights should only be included where there is clear evidence that the ECHR does not cater adequately for the particular circumstances of Northern Ireland."

The Loyal Orders and the evangelical churches do not have a voice. Political representatives on the forum do not correlate with the views of the voting public, and the politics of Members who have been nominated to act for women, children and human rights are patently, and unequivocally, anti-unionist. The power to deal with that rests with the Secretary of State.

Those issues, raised by the DUP since the first meeting of the forum, have yet to be adequately addressed. There will be no confidence in the forum unless there is a balance.

The Assembly needs to send out a message to the Secretary of State that for a bill of rights for Northern Ireland to reflect the principles of mutual respect and parity of esteem for the identity and ethos of both communities, the body charged with advising the NIHR must itself reflect those principles.

I ask Members to support the motion.

Mr A Maginness: I beg to move amendment No 1: Leave out all after "Assembly" and insert

"believes that a successful bill of rights process requires the input and support of all sections of our community; welcomes the cross-party, cross-community and cross-sectoral participation in the Bill of Rights Forum; acknowledges that additional resources have been granted to enable greater outreach to priority groups, including the unionist community; and wishes the forum well in all its endeavours."

This is a very important debate, and a good opportunity to place on record the work of the forum to date and its noble objective to reach agreement on additional rights for people living in Northern Ireland.

For most of Northern Ireland's history, certainly since the 1920s and through the Troubles, we have not had a rights-based society, and it is important for us to build one. We have had a society based on security considerations instead of rights. Now, we see a transformation into a rights-based society in which we are all winners, and a bill of rights will strengthen the safeguards and develop that culture of rights for all of us.

Throughout the world, the human rights culture arose from the Universal Declaration of Human Rights of 1948, the genesis for which was the Second World War and the horrific crimes committed by the Nazis and others.

So horrible was the experience of people who lived through that war that they were determined to eradicate such horrors, in so far as they could. That is why we have the Universal Declaration of Human Rights, of which the European Convention on Human Rights is reflective. It is important for all of us to remember that. We are dealing with something that is of great value and worth to our society, and which has shaped and formed many political systems throughout the world, particularly here in Ireland, Britain and throughout Europe. It is important that Members support human rights.

Human rights are not partisan, but reflect universal rights throughout the world. In trying to create a bill of rights, we are attempting to help everyone in our society.

The bill of rights arises from the Belfast Agreement, and the forum arises from the St Andrews Agreement. It is important that all Members remember that, and to bear in mind that those who seek to criticise that process are criticising what was agreed at St Andrews. The terms of reference for the forum are reflective of the original terms of reference in the Good Friday Agreement: that rights that are supplementary to the European Convention of Human Rights should be devised for the circumstances of Northern Ireland. The forum has been set that task. That is an important task and it will ultimately advise the NIHRC, which will present the bill of rights to Westminster, where, hopefully, it will be enacted through legislation. That is an important exercise.

There has been criticism that that exercise has been biased in some way. I cannot understand that. The terms of reference and the make-up of the forum show that it is clearly representative of the whole of society. It has 14 political representatives who represent all the main strands of political opinion in Northern Ireland, and that could not be fairer or more proportionate. The non-political representation reflects a vast cross section of our society, taking in the trade unions, the employers, the Churches, the human rights non-governmental organisation (NGO) sector, and the community and voluntary sectors. How much more representative could one get?

I have heard criticisms of individuals and, Mr Deputy Speaker, you have said that it is in order for Members to criticise people. However, it is not necessary for a Member to name individuals in that process. That is wrong because those individuals do not have an opportunity to respond, and it is wrong to personalise such matters. Those are good organisations. For example, the Committee on the Administration of Justice is a long-standing organisation that has done good and effective work in a wide range of justice and human rights issues. It has won international accolade —

Mr Weir: The Member has mentioned the Committee on the Administration of Justice, which has, apparently, done good work. Is that a different Committee on the Administration of Justice to the one that is commonly known?

Mr McCartney: Where is the point of order?

Mr Weir: If the Member listened, he would know that that was an intervention, not a point of order.

Is that a different CAJ to the one that the rest of us know?

Mr A Maginness: I do not understand the criticisms of the CAJ, which has been recognised by serious international bodies as an outstanding model of an NGO in this field. Members may laugh and sneer as much as they want, but that is the reality. The CAJ goes about its work seriously and professionally — not in a partisan fashion. That also applies to many of the other organisations that have been criticised today.

The Bill of Rights Forum was constructed to reflect the totality of society. If there are deficiencies, people are free to present their points of view. Recently, the forum, under the able chairmanship of Chris Sidoti, received an additional £100,000 of Government funding in order to engage in outreach work and to appoint outreach workers — the thing that Members have criticised it for lacking. The forum has that capacity, has been given that money and will carry out that work. The criticisms of it are misplaced.

The forum engages in valuable work. It is tedious, painstaking and difficult to reach consensus on such difficult issues. It is of value to every Member of the House and everybody in the community. The least that we can do is to show support for the forum's good work. It is serious work, its members are serious, and political criticism of those people is extremely unfair. I believe that they would totally reject such criticisms.

Members of the Bill of Rights Forum have a sincere and open agenda. They come from different sectors and, of course, they have individual political — and other — points of view. However, they are united in a consensus to achieve the best possible bill of rights for everyone in Northern Ireland. Members should support them.

Ms Anderson: I beg to move amendment No 2: Leave out all after “acknowledges” and insert

“that the involvement of all people in the process leading to a bill of rights is vital; and that the absence of real participation and representation from within any sector would make the achievement of a bill of rights more difficult.”

Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom seasamh i gcoinne an mholta agus ar son an leasaithe. I speak against the motion and in favour of amendment No 2. I welcome the debate and thank Gregory and Michelle for tabling the motion and for getting it on the Order Paper. Go raibh míle maith agat. Sinn Féin is content to support the SDLP amendment.

The proposal for a bill of rights goes to the heart of the historic process in which we are engaged. The heart is as much in the process as it is in the end product, and the process must achieve the real, inclusive participation of each and every sector of society. It is important for any sector that feels excluded from the process to action a remedy, and Members must ensure the greatest possible participation in order to make real the notion of democracy as a dynamic, ongoing, persistent and two-way dialogue between the Government and the governed.

As the DUP is aware, the NIO conducted a consultation process on the remit and composition of the round-table forum. Despite the fact that many, including Sinn Féin, wished to have a more balanced forum, the final product strikes an adequate representative balance. Furthermore, the DUP agreed to the establishment of the Bill of Rights Forum at St Andrews.

All parties in the forum have made the point that the observer facility must be used to address some of the gaps. The forum has many observers at its meetings, including organisations such as the WAVE victims' group and the Loyal Orders. I hope that Irish speakers and the GAA will also attend soon.

Overall, the members of the forum comprise an even balance of representatives from political and civic society.

Every forum member has agreed that, in addition to the forum's outreach programme, members have a wider responsibility to engage their constituencies and sectors so that they act as conduits for engaging the public in the bill of rights debate.

1.00 pm

Many of the organisations represented on the forum deal with the rights of elderly people, disabled people, women and children, to name but a few. Those cross-cutting rights affect substantial sections of the population, regardless of religious or political affiliation. Therefore, it would be entirely wrong to suggest that sectors of the forum are partisan; they represent society as a whole. Shame on Michelle McIlveen; she has tarnished the names of groups that work hard for the people in our communities.

The special circumstances of our histories in the North necessitated the right to define, by participation, all the people in that discourse. The forum has identified many groups to which it must reach out, including those in the unionist and nationalist communities as well as those that do not identify with either community.

We have the opportunity to influence the drawing up of a bill of rights that enshrines, and rests on, the core values of humanity, human dignity, equality, freedom, non-racism and non-sexism. We must promote genuine agreement across political divides that human rights are for all. They are not a zero-sum game to be played out between conflicting partisan interests. We are not looking for an equal, negotiated balance between sides in a conflict; we are looking to the greater principles that underpin our humanity and can enable us to build a future that is not marred by unacceptable histories of conflict and division.

The fundamental issue, on which all this is based, is the participative process. Hence, the forum must employ outreach workers because, while sections of our community are excluded — or feel excluded — we are confined to the straitjacket of seeing this huge adventure as a zero-sum game.

The disconnection between the forum and the communities was discussed at length at the bill of rights conference in Derry over the weekend. All delegates agreed that the issue required urgent attention and that outreach workers must be employed as soon as possible.

However, from the outset, the crucial measure of the forum's success — the very basis of its legitimacy — is that the majority of people, whatever their race, religion, ethnicity, political or community affiliation, can say that the bill of rights is theirs.

If the bill of rights is to achieve ongoing dialogue between the governed and the Government, we must be committed to the transformation of society. We have the opportunity to do that now. We must clearly negotiate the inseparable and inextricable link between civic/political rights and social/economic rights. The bill of rights must provide and deliver a remedy, or its legitimacy and people's trust in its participating groups will vanish.

People justifiably expect that the peace process and the power-sharing Executive will vindicate rights. They await education, training, apprenticeships and good jobs for all, housing — and affordable housing at that — that will enable all people to live in safety, peace and stability, without fear, and that will allow everyone to develop their full capabilities.

A bill of rights must protect the disadvantaged, such as the 82-year-old woman, known only as YL, who had Alzheimer's disease and who was evicted from a

private care home in England, which was carrying out a public function. Such cases could happen here, but they must not be allowed to, and a bill of rights could prevent them from happening.

We must recognise that minorities must be protected from the majority, especially in a democracy in which minorities can always be outvoted and majorities remain indifferent. The involvement of all people and organisations, such as the Anti-Poverty Network, which is concerned about poverty wherever it resonates, is crucial. The absence of participation in representation from any sector makes the achievement of a bill of rights more difficult. It takes courage.

We must protect the freedom of expression of those whose opinions we find most obnoxious and respect the religious beliefs of those whose moral philosophy conflicts with our own most deeply held convictions.

Our bill of rights should become a beacon to Ireland, Europe and the world. It should be worthy of what has been described as one of the great triumphs of the human spirit — the power-sharing Executive that has been established here.

It is vital that all the people are involved in the process that leads to a bill of rights. The Bill of Rights Forum is clear that additional work is needed to engage with many groups, including those who may potentially mistrust the concept of human rights.

It is not simply a case of one community that is identified as not having engaged fully in the consultation process undertaken by the Human Rights Commission. The forum has agreed to target outreach efforts at engaging others too, such as the disabled, children, and those living in rural communities and TSN areas.

It is wrong to single out one community or group above all others. The bill of rights needs to be the people's document, and we, in this Assembly, must lend our support to the facilitation of a process that will make it possible to better engage all the people, resulting in nothing less than rights for all. Go raibh mile maith agat.

Mr Kennedy: I am pleased to participate in what is private Members' motion number 69 in the lifetime of this Assembly. I say that by way of context because the Ulster Unionist Party has advocated a bill of rights for a long time. As far back as 1972 our party proposed the introduction of:

“a precise and comprehensive Bill of Rights.”

Throughout the 1980s and 1990s, we urged that the European Convention on Human Rights be incorporated into United Kingdom law to protect fundamental rights and liberties. In 1998, we supported the drafting of rights, supplemental to the European Convention on Human Rights, addressing the particular circumstances of Northern Ireland — described as:

“the principles of mutual respect for the identity and ethos of both communities and parity of esteem”.

We recently reiterated our support for a bill of rights through the Preparation for Government Committee's ‘Report on Rights, Safeguards, Equality Issues and Victims’. It is on that basis that the Ulster Unionist Party is committed to participation in the Bill of Rights Forum.

The Ulster Unionist Party understands the sentiments behind the DUP motion and the two amendments. The motion, in particular, recognises unionist concern at how the bill of rights process has extended far beyond the remit and mandate provided by the Belfast Agreement. If the forum is to work properly, and if the bill of rights process is to be effective, it will be important that the concerns expressed during this debate are heard and responded to.

The SDLP amendment urges the forum to proceed by consensus in the interests of all the people of Northern Ireland, stating that:

“a successful Bill of Rights process requires the input and support of all sections of our community”.

That word “support” is vital. Support from across the political spectrum and the entire community will be essential if the process is to have a successful outcome. That, in turn, means that it will be essential that the bill of rights retains the support and confidence of the majority of the unionist community.

The Ulster Unionist Party is gravely concerned at some of the proposals that have been suggested for inclusion in a bill of rights — proposals that were not the original intention of the Belfast Agreement. The agreement talks of supplementary rights to the Human Rights Act, to address the particular circumstances of Northern Ireland. The purpose of such supplementary rights is to address the tensions and grievances in our divided society. That aim is modest, but it is still incredibly significant. In that context, it is worth noting that extensive socio-economic rights were never part of the mandate given by the agreement.

The DUP motion and the amendments share the concern to ensure consensus on the forum. I trust that a careful note will be taken of the concerns expressed during this debate. Without consensus, the forum will fail, and any bill of rights proposals will become a cause of great division.

Although it has some sympathy with the SDLP amendment, the Ulster Unionist Party will support the motion in order to express its grave concern at aspects of the bill of rights process.

The debate is not about names and backgrounds but about policy and ideology. One hopes that Miss McIlveen does not, at an early stage, find herself in the company of forum members, given that she did not have a good word to say about many of them.

Nonetheless, there is a real debate to take place on policy and ideology, and on what the Belfast Agreement intended for Northern Ireland by:

“rights supplementary to those in the European Convention on Human Rights”.

That is the real debate.

Dr Farry: I speak both as a member of the Northern Ireland Bill of Rights Forum and as its supporter. In trying to find a degree of consensus between politicians and civil society that can form the basis of a way forward, the forum provides an important function in the long-running discussion over a bill of rights.

Mr Kennedy said that the Ulster Unionist Party's involvement with a bill of rights goes back to 1972. I will go a decade better: we have been discussing a bill of rights for Northern Ireland since as far back as 1962, when the then Liberal MP for Queen's University, Sheelagh Murnaghan, proposed a motion on the subject in this Chamber. More than 40 years on, we are still discussing the subject. It is important that we bring that discussion to a close as soon as possible.

In supporting a bill of rights for Northern Ireland, I speak as a liberal, not as a socialist, communist or Marxist. It is important to recognise that there is support for the concept of a bill of rights for Northern Ireland right across society. Opinion poll research shows that there is support for it among all sections of the community.

I was planning to recognise some of the DUP's concerns and give it some reassurance, and I will still try to do that. However, I must say that I found the approach that the DUP took — of listing names — to be totally inappropriate and fundamentally counter-productive. It does not reflect well on those who tabled the motion.

Historically, the unionist section of the community has lacked engagement with the bill of rights process. We all recognise that, and the forum has taken that fact on board. Affirmative action to address that deficit is planned in the months to come.

We must recognise that the forum is a combination of civil society and political representatives. It has not been set up to represent the political balance of power that exists in the Assembly. Furthermore, it is a fundamental mistake to try to place party political labelling on any member who sits on the forum as a representative of civil society. Those members are not there to represent a political point of view but to represent their sector in what is an important debate.

There is an issue surrounding how representative of civil society the forum is. All Members will recognise that to try to represent the complexity of civil society in a body of manageable size is an impossible task. I have no doubt that mistakes have been made in that

respect. However, the challenge of trying to create a purely representative body is an impossible one.

Consider the Churches. Given the religious diversity that exists in Northern Ireland, all the places that are allotted to civil society would be filled by representatives of Churches. To represent the vast number of Christian Churches in Northern Ireland would in itself be an impossible task, without trying to ensure representation from other faith groups, as well as non-faith groups, that we now have in Northern Ireland society.

The forum serves a purpose in that it allows a critical mass of views to be placed on the table. The fear that unionists have — if I understand the basis of their argument — is that they see a situation arising in which most, or all, of civil society will line up with the representatives of nationalism and push the two unionist parties into a corner. That outcome would then be at odds with the majority of political opinion in society, as represented by the most recent Assembly election results.

Those fears are unfounded for two reasons. The practical reality — if not quite the legal reality — is that the Assembly would have to endorse any draft Northern Ireland bill of rights. If it were not so endorsed, there would be fundamental problems in implementing it. Given their position in the Assembly, unionists must take some comfort from that fact.

1.15 pm

Members must recognise that there are voices within the Bill of Rights Forum who will take a responsible attitude to avoid a situation where two parties are cornered on outcome after outcome. It would be a disaster for the Bill of Rights Forum if that pattern of voting emerged, and action would need to be taken quickly to address that fundamental imbalance.

There is value in the partnership approach to political and civil society working together. It is incumbent on the members of the Bill of Rights Forum to be mindful to ensure that their recommendations will have the power to influence the Northern Ireland Human Rights Commission, to get the support of the Assembly and to persuade the British Government. We have a very important task in front of us, and provided that we reflect universality, and international standards and conventions, no one in Northern Ireland has anything to fear. Rather, a proper bill of rights that addresses the circumstances of Northern Ireland is something to look forward to.

Mr McCausland: I am one of the DUP representatives on the Bill of Rights Forum, and I support the motion, which states that:

“this Assembly acknowledges that the unionist community has been largely excluded from the human rights process in Northern Ireland”.

When looking back over the years, Members will find that that is the case. Back in the early 1970s, the Association for Legal Justice was set up as an entirely

nationalist organisation, and it was followed by the Committee on the Administration of Justice and the Children's Law Centre. Dermot Nesbitt made a point at one of the meetings of the Bill of Rights Forum, with which I concur on the basis of personal experience. When unionist concerns are brought to those groups the letters are not answered, as Dermot put it, or ideas that were put into the melting pot somehow fall out of the system, are ignored and forgotten. It is clear that the unionist community has been largely excluded from the human rights process and the human rights sector in Northern Ireland.

I turn now to the next part of the motion, which says that unionists are:

"under-represented within the human rights sector, resulting in the Bill of Rights Forum having a clear imbalance in the composition of its membership".

The DUP representatives raised that point at the first meeting of the Bill of Rights Forum when we highlighted the exclusion of representatives from the victims sector, the Loyal Orders and the smaller evangelical churches. Nine months later, nothing has been done about those concerns.

Mr A Maginness: The Orange Order is an observer to the Bill of Rights Forum, and any other organisation can become an observer easily.

Mr McCausland: The point that Alban makes is entirely correct. I proposed that a number of organisations should be given observer status, but the key point is that an observer does not have a vote. An observer is allowed to come and view the process, but is excluded from being part of the process.

Mr A Maginness: Will the Member take a further intervention?

Mr McCausland: No, I do not have time to take a further point as I have too much left to cover.

Let us get down to the core issue regarding the elements that make up the Bill of Rights Forum. My colleague Michelle McIlveen has already mentioned Paddy Kelly of the Children's Law Centre, a good friend of Caitriona Ruane's. It becomes obvious that there is an issue when the women's sector is represented by Margaret Ward and Annie Campbell. There should be representatives from the Townswomen's Guild, the Presbyterian Women's Association, the Mothers' Unions, or the Women's Orange Order, for example. Who do we get? We get Annie Campbell and Margaret Ward.

It is wide of the mark to say that the current representatives are from civic society and are non-political. Take the example of Margaret Ward. I could do the same with a whole series of representatives, but I will tease out the history of that individual. Margaret Ward started off as a member of the People's Democracy and was a founder member of the Socialist Women's

Group in October 1975, which was one of the key foundation organisations of the women's rights movement — the other was the Women's Rights Movement itself, which was set up largely by the Communist Party. However, let us stick with Margaret for a moment. As one of the founders of the Socialist Women's Group, she said that it was made up of women from various places such as the People's Democracy, the Revolutionary Marxist Group and the Irish Workers' Group — obviously a broad spectrum. *[Interruption.]*

No, the Women's Institute did not quite make it that day.

That is the sort of organisation from which Margaret Ward came. She explained that it was a Trotskyite group, to which women came from all those organisations. She, and others, went on to say that the organisation tried to link women's oppression, partition and the imperialist domination of Ireland. There would not have been many unionists in that organisation. Clearly, it did not represent a broad spectrum of views.

The other organisation was the women's rights movement, which was set up by Lynda Edgerton-Walker, who is a member of the Communist Party, and another communist, Ann Hope — the same Ann Hope who is also a Human Rights Commission observer at the Bill of Rights Forum.

I could mention a few more such people. However, the point has been well and truly made. When those points were made by my colleague Miss McIlveen, Alex Attwood and Alban Maginness squirmed and Sinn Féin Members laughed. However, the facts speak for themselves. It was an embarrassed laugh and squirm from those Members.

If there is to be a Bill of Rights Forum, it must be reflective of Northern Ireland society. Mr Maginness mentioned outreach — outreach is aimed at those who are on the outside. A basic human rights requirement in any society, if it is to sign up to international human rights standards, is the right to participation. The current membership of the Bill of Rights Forum denies that to large sections of society, including the Women's Institute, the Townswomen's Guild and others — the sort of ordinary women who are represented by Michelle McIlveen.

Mr Weir: Like the last two Members, I want to state that I am a member of the Bill of Rights Forum. I must also make an even greater confession: I agree with at least one comment that Martina Anderson made when moving her amendment. She said that the end result should be that every citizen of Northern Ireland is able to say that the bill of rights belongs to him or her. That is the point of the DUP's motion: my party wants a bill of rights that is supported by everyone across Northern Ireland.

However, if a system is created in which there is not a level playing field and one community feels that it has not been given proper representation, an inclusive buy-in will not be achieved. For all the great words of the parties opposite in regard to their amendments, the problem is that, essentially, those amendments do not acknowledge the elephant in the room, which is the composition of the Bill of Rights Forum and, indeed, the process that has been put in place.

Much has been said about the political composition of the forum. The 14 political representatives do not reflect the electoral strengths of the political parties. The DUP has 36 representatives in the Assembly — one third of overall representation — but has just one more place in the forum than the Alliance Party, which has merely seven seats in the Assembly. If it were simply a question of the number of faces around the table, that would not matter. However, any voting systems that have been discussed have been on the basis that every member of the forum — irrespective of whether they are elected representatives, or what party they may come from — has exactly the same vote. Consequently, the DUP's three votes will only outnumber the Alliance Party's by one, despite the fact that it has over five times the political strength of that party. That does not create the necessary degree of political balance.

Mr A Maginness: I understand the Member's argument. However, the real substance of the forum's procedures is that agreement is by consensus, not by totting up votes. Even if there were disproportionate votes, ultimately it would not matter.

Mr Weir: It would not matter, if absolute consensus were the only method by which a motion could be passed. However, there exists a loose model of sufficient consensus, in which several members can object to a motion, but it can still be passed. Dr Farry voiced his concern that members could gang up against the two unionist parties, yet when the proposition was made, with the support of the DUP and the Ulster Unionists, that sufficient consensus should require the support of the political wings of both communities — that, if either the unionist community or the nationalist community was opposed to something, it would not pass — we found ourselves completely outvoted by everyone.

Six unionist hands went up — and not one other hand went up on the other side. The vast majority of the forum went against us, with the honourable exception of a couple of independents, who abstained on the issue. Few faces around that table were sympathetic to the unionist position. There were not too many people who —

Dr Farry: Does the Member recognise that the forum has deferred the final discussion on voting mechanisms to the end of the process, given the concerns that have

been raised? Would he also accept that the Alliance Party did take unionist concerns on board at the meeting in July, and suggested that discussion be deferred, having recognised a fundamental problem?

Mr Weir: That issue came to head only when a solution was going to be imposed upon us, and the unionist parties were on the point of walking out of the forum. It was the imminent collapse of the forum that caused some, at least, to back off. When looking around that table, there were not too many people on whom I could be overly reliant if I were looking for votes in relation to that matter. Outreach is grand, but it does not give one a place at the table or a vote in the final say. Unfortunately, we are going to be faced with a forum that is likely — unless corrective action is taken by the Secretary of State for Northern Ireland — to produce a report that is so off beam that it is sheer madness.

A representative of one of the Churches complained of loneliness because of the weight of opposition to the views of that Church — that demonstrates that things have gone badly wrong. Members of that forum are aiming to repeal trade union laws of the 1980s. How is that particular to the circumstances of Northern Ireland? The type of agenda that is being pushed may be particular to the circumstances of 1960's Cuba, but it is not particular to Northern Ireland in the late 2000s.

With the best will in the world, some degree of corrective action must be taken, and a level playing field created, so that the voice of unionists, the voice of victims, and the voice of the Loyal Orders is heard. Is there any issue that is more particular to the circumstances of Northern Ireland than the cultural matters that surround the Loyal Orders? However, those people are excluded, and there is a raft of other people on the forum who are not representative. Unless those changes are made, we are going to waste an awful lot of time. That is not acceptable.

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

Mr Elliott: I thank the Members who proposed the motion. The Ulster Unionist Party has worked hard to ensure that the rights that are afforded to the people of Northern Ireland have always been in their best interests, in the context of the Union and the wider United Kingdom. For example, since 1998, we have continued to support consideration of the scope for rights that are supplemental to the Human Rights Act 1998, and which address the particular circumstances of Northern Ireland.

However, we are always mindful of the need to maintain our position in the confines of British rights that are afforded to all citizens throughout the United Kingdom. We are committed to ensuring that everyone in Northern Ireland shares in our cherished position of equal citizenship in the United Kingdom — meaning that all are guaranteed fundamental rights and liberties.

That commitment shapes our approach to any ideas about a bill of rights. Rights are not just for nationalism; they are not just for Roman Catholicism; and they are not just for unionism — they are for everyone, and that is why I want everyone to be equal.

The forum does not exist to provide an opportunity for individuals to write a Programme for Government. The forum's aim should be to address the potential need for some supplementary rights in Northern Ireland for all communities, and parity of esteem for everyone — given our special circumstances, which are sometimes described as the principles of mutual respect for identity and ethos. Northern Ireland's position as a member of the United Kingdom, and, therefore, subject to the Human Rights Act 1998, has been ratified by the people of Northern Ireland.

There is no need to have a separate bill of rights to replace that which has been accepted in the rest of the United Kingdom. However, we are not ignorant of the differences that have existed in this part of the kingdom for the past 40 years; therefore, we recognise the need for discretion in matters that concern our country. That is why we continue to support the scope for supplementary rights and support the forum's role in addressing those rights.

1.30 pm

It is rich to hear some people in the Province talk about human rights, especially as over the past 40 years, the murderous attacks that many of them have waged against the people of this Province have destroyed the basic human right to life.

Although the motion is concerned with membership of the forum, that is not the most crucial issue. Rather, it is more important that the forum reaches decisions by consensus. Making any decision without proper consensus will lead only to division. I have no doubt that to draw up a bill of rights for Northern Ireland without consensus would lead to division. It would drive a wedge through our society at a time when people are trying to work together. We should not be forced together — people have too often attempted to do that. Only now are communities beginning to work together, and, in many areas, they are working together for the first time in over 40 years. Without consensus, a bill of rights would not only be a divisive element in a process that strives for cohesion, it would create a vacuum into which would return the distrust and hatred that has plagued our society for far too long.

The Bill of Rights Forum needs to be mindful of the mandate that the people of Northern Ireland have given to it. Through that mandate, the forum has the power to make decisions that should be beneficial to everyone in Northern Ireland. Dialogue and consultation have been guiding principles throughout the Province. I urge people to remember that any Northern Ireland-specific

rights that supplement those in the Human Rights Act 1998 must be comparable to and compatible with any emerging broader UK framework, including, for example, the British bill of rights and duties that the UK Government suggested recently.

If the forum can keep to its mandate, pursue its goals with consensus in mind, and remember the broader scope for movement that exists in the rights issue in the United Kingdom, a positive outcome may be reached. However, if it does not take that approach, there can be no such outcome.

Mr Attwood: Miss McIlveen has done herself a disservice this morning. Members from across the Chamber have noted that, in previous debates, she has been at times thorough, and, at other times, thoughtful. However, this morning she was neither. I trust that she might reflect on her comments, which ill serve the debate on a bill of rights and proper party debate in the Chamber.

I disagree with her fundamental point. She said that she endorsed the CBI's views on the proposals for a bill of rights. I presume that she endorsed those views on behalf of her party. As I understand it, the CBI has essentially said that it will sign up to little beyond that which is contained in the European Convention on Human Rights and in the Human Rights Act 1998. In that regard, we are missing a beat. If we do not, through the Bill of Rights Forum and the processes that are involved with that, reach a conclusion that relies not just on the individual and civil liberties that are outlined in the European Convention on Human Rights and the Human Rights Act 1998, and if we do not embrace the other international conventions, especially those that the UN has advanced, we will be doing another disservice to the people of the North.

Mr Kennedy remarked on the 69 motions that have been debated in the House. If we analyse those, it is clear that, time after time, they have addressed issues that involve income, health, housing and education. Indeed, they have addressed the full range of social and economic inequalities that exist in the North. If we adopt the approach of the CBI or the DUP, whereby issues that involve the economic and social entitlement and rights of the citizens in the North would not form part of the bill of rights, the Assembly, the Bill of Rights Forum, and, more crucially, the people of the North, will have missed an important strategic opportunity.

I ask the DUP to consider that point of substance in any further contributions that it might make to the debate on a Bill of Rights Forum.

In 2000, when Mary Robinson was in the North in her role as UN high commissioner on human rights, she said that our human rights proposals were the part of the political process in which the people of the world were most interested. That is a measure of the

importance of the Bill of Rights Forum and the architecture around human rights that was created further to the Good Friday Agreement. As evidence that people are watching the North to see what we might or might not do, one only has to look back to the summer of 2007, when the DUP — rightly — went to a Scandinavian country to give advice to the people and parties of Iraq about lessons that could be learned, in their objective circumstances, given what we have endured over the past 40 to 50 years.

Mr Campbell: Scandinavia really is in the north.

Mr Attwood: I do not know whether that was an intervention. I will certainly give way to the Member.

The point is that there is something worth sharing. Mary Robinson said that the work being done by the people of Northern Ireland, through the parties and others, on human rights' entitlements was most worth sharing. For those reasons, I suggest that the Bill of Rights Forum should have an impetus to have the maximum human rights protections available, rather than that which John Reid suggested when he was Secretary of State for Northern Ireland, in which the British Government would listen only to proposals of a minimal rather than more general nature. In the wake of this debate, some of those who are involved in the forum process must carry out a strategic reassessment of its real requirements.

I do not really understand the motivation behind the motion. Is it to beat up on the Bill of Rights Forum process because of a perceived — and sometimes real — lack of proportion about its overall membership, or is the DUP positioning an obstacle in the way of political development in the North? Is this an attempt by the DUP to put down markers in order to bring about gridlock in the politics of the North in six months' time, in the event that no consensus has been reached on the Bill of Rights Forum process?

Mr Hamilton: I am a member of the Bill of Rights forum, as unpopular as that declaration might be on the unionist Benches. Protestants and unionists do not fear rights; indeed, as the proposer of the motion said, going back to the bill of rights of 1689, which was a key element of the Williamite settlement, it was people of Protestant and Ulster stock who helped to form and pen the Declaration of Independence and subsequent Bill of Rights in the United States. Indeed, the solemn league and covenant of 1912 could rightly be described as a rights-based document. Rights are part and parcel of Protestant and unionist history and heritage.

Unionists, however, became detached — or more accurately, dislodged — from the rights process. That was understandable in Northern Ireland, as Tom Elliott mentioned. It was sickening for many unionists to hear the clamour for rights coming most loudly and frequently from those who denied basic rights to people

in our country. It was nauseating to hear how barristers or solicitors who defended terrorists or suspected terrorists were referred to as human rights lawyers. That caused great unease in the unionist community.

That disconnection has led to under-representation in the human rights sector, and the Northern Ireland Human Rights Commission has been used as an example to demonstrate that. Membership of the Bill of Rights Forum is not fully or truly reflective of Northern Ireland society, and there is a clear under-representation of the unionist community. Perhaps in spite of that, however, unionists are participating in good faith in the process, but everyone involved must accept that, given the political realities of Northern Ireland, unionists must not only be part of the process but have ownership of it and agree to its outcomes.

As mentioned by other Members, the forum's aim is to advise the Human Rights Commission on what should be included in a bill of rights for Northern Ireland. It has been argued that such a bill is required because of the particular circumstances of our recent past. I agree with the concerns expressed by Danny Kennedy that the discussion has concentrated extensively on economic and social rights. That perhaps reflects the membership of the Bill of Rights Forum.

I will concentrate briefly on two particular aspects of our past that are inalienable when it comes to rights. If any aspects are particular to the circumstances of Northern Ireland, they are those of culture, including parading, and of victims. Quite appallingly, there are no representatives on the forum who can discuss the rights of the cultural sector or of innocent victims. Indeed, at last Friday's forum meeting in Londonderry, the convenor of the group that is dealing with victims' rights, the Very Reverend Dr Samuel Hutchinson, said that one of the problems faced by the working group was that there was no representative from the victims' group sector on the forum. The forum comprises representatives from a wide range of sectors in civil society, including women, sexual orientation, the Travelling community, children and ethnic minorities. However, there is nobody from the loyal orders or innocent victims' groups. If issues such as cultural rights and victims' rights are to be addressed, there should be representation from those quarters in the forum.

Although the Catholic Church and the Irish Council of Churches are represented on the forum, that does not reflect the broad swathe of Churches in Northern Ireland, particularly the evangelical Churches, which represent a growing sector in Northern Ireland. The Caleb Foundation, the Orange Order and the Ulster-Scots Heritage Council have observer status in the forum. However, they only have that status at the insistence of the DUP; and I am quite appalled at the suggestion by Alban Maginness that those groups should be happy to have second-class status in the forum, without either a

vote or a voice. Those comments were not missed on the unionist side of the House.

I welcome the further investment of £100,000 by the Secretary of State into outreach work, including work in the unionist community. However, there would be no need for that outreach work if those groups were properly represented in the forum. The bill of rights cannot get off the ground and be a success without unionist support.

Mr Shannon: I support the motion. There can be no doubt to any impartial person of the fact that the unionist population has been severely under-represented in the formation of the Bill of Rights Forum. The ethos of many unionists when faced with a difficult situation has always been to get up and get on with it. There was no need to run to higher authorities; you took the knock on the chin and you dealt with it. However, that ethos has left the unionist people far behind in the realm of human rights and in dire need of representation to ensure that a fair deal is reached by all.

Nevertheless, I have no desire to have my words twisted and misconstrued into saying that I do not believe that rights should be enshrined in some form. When I listen to Americans recite the Declaration of Independence, I hear words that everyone would agree to and accept:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

For that reason, I make it clear from the outset that I do believe that rights should be enshrined. However, the manner in which that is approached is delicate; and thus far the entire community has not been shown to have played an equal part. One need not look any further than the composition of the forum, as my colleague Mr Hamilton has outlined, to see how unequal that has been and the undeniable irony of the fact that the forum's remit is to process ideas on real equality for all. The imbalance in the forum has been made clear by the omission of certain bodies, the most glaringly obvious being the Orange Order. The Orange Order has well over 75,000 members and many other affiliates throughout the Province. As such, it represents a substantial proportion of the overall number of people and their opinions in the Province.

However, the Orange Order has no real say or voting rights in the forum — merely the tokenism of lip service and observation. Given that one of the main human-rights issues in the Province is the right to march and celebrate one's cultural identity, that is grossly unfair.

1.45 pm

The ethos of the Orange institution is concerned with the defence of the civil and religious liberties of all, including those of us who are Protestants. However, it apparently has no place in a forum on rights and

equality. That is one of the biggest forms of hypocrisy and inequality pertaining unashamedly in the very forum that is supposed to advocate human rights and be a mouthpiece for change. It is little wonder that the people of the Province have no faith in it.

Such inconsistencies make the unionist people — and all right-thinking, open-minded people — of the Province sceptical about the true purpose of the Bill of Rights Forum, and human-rights processes as a whole. The Northern Ireland Human Rights Commission backed up the unfair decree on 50:50 recruitment to the PSNI, which is perhaps the most disgusting and discriminatory such policy ever to have been introduced in a so-called modern country. It is easy to see why some people shy away from anything that smacks of human rights.

If a policy does not address human rights for all, it is of no use to anyone. How can 50:50 recruitment overrule the right to equal opportunity for jobs and other human rights? The manner in which the people of the Province were forced to accept that is nothing short of scandalous: there is no redress, no option and no excuse. That policy sends out the message that it is acceptable to discriminate against a majority. Until those at the highest level of Government accept that that is happening, there can be no change and no true equality in Northern Ireland.

Before she jumps up, I see that my colleague wants to come in at this point, so I will give way to her.

Mrs I Robinson: My intervention does, at least, have the advantage of giving Mr Shannon an extra minute to speak.

Does the Member agree that measures in connection with a bill of rights have had a more detrimental than positive impact on our community?

Mr Shannon: I wholeheartedly agree, and that is why the motion is being discussed in the Chamber today. This matter must be urgently addressed. Whether the Members on the opposite side of the Chamber like it or not, unionists are currently the poor relations in the world of human rights, and that cannot continue. That issue must be addressed now, starting with a more even composition of the forum's membership.

A form of positive discrimination has been operating for far too long, and the Secretary of State must step in and rectify that inequality, which is rife, and create an even playing field for everyone.

I urge the House to ensure that a message demanding equality is sent to the Secretary of State and, ultimately, to the people of the Province. There must be an end to discrimination, whether against a minority or in the form of positive discrimination against the majority. The first step would be a proper, representative forum. I urge all Members, including those on the far side of

the Chamber who have made statements today, to support the DUP's clear motion.

Mr G Kelly: Go raibh maith agat, a LeasCheann Comhairle. I speak as a Member for North Belfast on this important issue. Níl mé ag labhairt sa phlé seo mar Aire, ach mar ball ar an ábhar tábhachtach seo.

The bill of rights was central to the Good Friday Agreement and was reinforced by the St Andrews Agreement, whereby all parties agreed to establish a forum to facilitate the development of an appropriate bill of rights. After the attacks that have been made on many of its members during the debate, it must be said that the Bill of Rights Forum has benefited massively from the impartiality of the world-renowned human-rights expert, Chris Sidoti. He has acted impartially throughout and has repeatedly stated his wish to create a bill of rights on which everyone can agree.

The forum has also benefited considerably from the input and the contribution of groups that represent disadvantaged sections of society, such as women, children, elderly people and disabled people. Representations have also been made by social partners and the human-rights sector. The forum has expanded its workload by employing recognised human-rights experts who act as legal advisers to its seven working groups. They come from Britain and Ireland, and the forum has also benefited from the advice of EU and UN human-rights experts in developing its recommended draft bill of human rights. No one should feel threatened by the concept of human rights.

A bill of rights would guarantee the fundamental human rights of those living on the Shankill Road and the Falls Road, in Derry, in Larne, or anywhere else. A strong bill of rights would create a win-win situation in which all sections of our community, especially the two main traditions, would gain.

The forum has been clear that additional work is needed to engage with many groups, including those that potentially mistrust the concept of human rights. A LeasCheann Comhairle, all parties in the forum have consistently argued for a robust consultation process and have always supported efforts to engage with members of the unionist and loyalist communities. The forum has engaged those groups that wish to play a more substantial role to attend with observer status and to submit documents expressing their views on all the issues. That provides a mechanism for effective input to groups that do not sit on the forum directly.

It has to be said, because of the attacks that have been made, that the representatives of civil society are selected on the basis of the internal procedures of the groups concerned, and not on the basis of religious or political affiliations. They are there to represent their constituencies. A great disservice has been done today to all those who are involved to suggest that they do

not represent everyone in society whose lives they seek to improve, whether that is through working for a bill of rights for older people, for all children and young people, for all workers or for all who are disabled. They did not adopt, and have not adopted, party political lines.

I was disappointed at the personal attacks that were made by the proposer of the motion. I know that you have made a ruling, Mr Deputy Speaker, but that was a disgrace. It was followed by Nelson McCausland, who also launched into a series of personal attacks. I have a forlorn hope that Gregory Campbell will not go further and abuse the House by naming and defaming people in his winding-up speech.

The history of the bill of rights is closely associated with the conclusion —

Mr McCausland: Will the Member give way?

Mr G Kelly: No.

— of periods of conflict. The main body of human rights law in Europe and in the UN came immediately after the conclusion of the Second World War. In South Africa and other post-colonial societies, democratic Governments have moved to guarantee the rights of individuals through strong, world-class bills of rights enshrined in their constitutions. It has become confusing today whether the DUP, in particular, is against the make-up of the forum or the bill of rights itself. The DUP Members who have spoken simply want to introduce the unionist veto, which they will not do. They want to get back to the good old days of unionist domination, but we are well past that.

I support the SLDP amendment; I am willing to give way on that.

Mr Deputy Speaker: I call Dolores Kelly to make a winding-up speech on amendment No 1.

Mrs D Kelly: I welcome Sinn Féin's support for the SDLP amendment. I join with others in expressing my disappointment at the way in which members of the Bill of Rights Forum have been slagged off, in particular by the DUP. Alban Maginness and I represent the SDLP in the Bill of Rights Forum.

I will come to the unionist motion on exclusion later. Some Members had concerns about socio-economic rights. My colleague Alex Attwood pointed out that socio-economic rights are, by and large, much of the work that the Assembly has addressed in the last 68 items of private Members' business. Indeed, whether the bill of rights that we ultimately advise on for the North of Ireland contains specific mention of socio-economic rights is irrelevant, given that international case law has increasingly shown that the bill of rights in terms of socio-economic rights has largely been interpreted under other rights, such as the right to family life and the right to a private life. Therefore, if we examine in greater detail what is happening in Europe, we will see that many of those

rights, including the right to health and education, are already enshrined and are being acted upon and informing decisions of Government.

Some Members addressed the issue of unionist participation and mentioned, in particular, a number of individuals, as opposed to their organisations.

Do the unionist parties seriously expect us all to believe that the trade unions do not represent people who are also unionists; that Disability Action Northern Ireland does not represent people who are unionists; that the Northern Ireland Council for Ethnic Minorities does not represent people who vote for unionist candidates in an election; and that Age Concern does not have members who are unionists? The debate has been mischievous, and one wonders if the unionist parties' attitude to participation — particularly that of the DUP — is constructive or obstructive.

The Alliance Party sought to reassure the DUP and clearly set out its long commitment to a bill of rights. *[Interruption.]* Did somebody speak?

The Alliance Party clearly explained why limiting numbers on the forum is a necessity. We are all made up of several identities. Some Members spoke of an elephant in the room. Is there not an elephant in the room when certain Members fail to declare certain aspects of their identities — such as those who are members of the Loyal Orders, members of evangelical churches, and members of the Caleb Foundation? If there is going to be an honest debate, all Members must be honest. The bill of rights outreach strategy is soon to begin, and a clear commitment has been given that will include all those minority groups that, thus far, have felt excluded from the debate. Other groups may still wish their views to be represented, and it could be argued that, with regard to identity, such organisations as the GAA are not represented; however, there has to be a limit if the forum is to be effective.

The SDLP amendment clearly concerns consensus. We will learn later, and there will be questions about why the Assembly holds so many of these debates instead of advancing legislative timetables. The Assembly is not discussing a programme of Government or an Executive programme.

The credentials of other Members were mentioned. I welcome the Ulster Unionist Party's more mature participation in the debate. Others — most recently, Jim Shannon — stated that 1689 was a key date for the protection of civil and religious liberties. If I recall my history lessons, the penal laws were introduced not long after 1689.

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

Mr Campbell: The debate could legitimately be described as having been worthwhile and energetic. Michelle McIlveen outlined the background of members

of the forum and, along with others in my party, had criticism levelled at her that was totally unwarranted. If the DUP had criticised the forum in vague terms — by simply stipulating that certain people represented X and Y — what would the criticism have been? People would have asked which members of the forum represented those views. Now the House knows who they are, and the views that they have expressed.

Several Members mentioned the elephant-in-the-room analogy; and in winding-up amendment No 1, Dolores Kelly talked of the need to be honest. That is absolutely right. On occasions such as this, it appears that nationalists and republicans attempt to get into mitigation rather than own up to the facts.

2.00 pm

Are the facts as follows: the Bill of Rights Forum does not adequately represent our community? The answer is either yes or no. If it does not, as we argue — and I do not think that any rational thinking person can dispute that — we can move on from that point. However, if Members on the other side of the Chamber constantly mitigate that fact and try to argue that there is a reason for it and state that unionists do not want certain rights enshrined in Northern Ireland, they miss the elephant in the room. They need to see that. Honesty, according to Mrs Kelly, is what we need, and we must sign up to honesty.

Martina Anderson, in her reference to the amendment, talked about groups that feel excluded. One may feel excluded if one is excluded. There is more to that than simply feeling excluded. If one is not included in a proportional sense, one has been excluded. It is not a matter of simply feeling or perceiving exclusion; it is the fact that one is excluded that matters.

Stephen Farry gave an exposition of the long tradition in his party, and in the liberal wing, of support for a bill of rights. That is quite right, but we wait to see arrival at the point when the Bill of Rights Forum will agree on its voting mechanism. It appears that those who talk about a consensus in the forum but have not been able to agree a voting mechanism hold a somewhat different view of consensus to the rest of us.

Peter Weir indicated that the amendments failed to acknowledge reality, and he too referred to the elephant in the room. Alex Attwood talked about the economic issues that he wished to see addressed. All of us in Northern Ireland society would like to see those issues addressed. However, we must ask ourselves whether a bill of rights, as currently envisaged by many in the nationalist and republican parties, is likely to achieve that objective. It appears that that is not likely, from what we are being told.

Simon Hamilton and Nelson McCausland referred to the historical support in the Protestant community for human-rights issues. Nelson McCausland mentioned the intrinsic bias towards republicanism of many of the

women who sit on the forum. Although some Members complained that that matter was even mentioned, I did not hear any resistance to that being a factual statement. That is what should concentrate people's minds.

Jim Shannon concentrated on the relevant matter of 50:50 recruitment to the police. Those Members who passionately advocate a bill of rights should agree that one of the first things that the forum must address is to state that it is 100% united in wishing to get rid of, at the earliest opportunity, the discriminatory recruitment procedures in respect of the police in Northern Ireland.

Some Members: Hear, hear.

Mr Campbell: Those who advocate a bill of rights are against that; they are in favour of discrimination because that discrimination is against our community. In some instances, people seem to state that that is all right; that it does not matter; and that it is of secondary consideration.

Gerry Kelly spoke about what he regarded as personal attacks on the forum's membership. That is quite erroneous. Unfortunately, Mr Kelly mentioned going back to the days of unionist domination. No one wants to go back to domination by anyone, unionists or republicans — or by RPG-7 rocket launchers. The day of that type of domination is over, and we are not going back to that either.

Dolores Kelly, in her winding-up speech, and in coming to the conclusion of her remarks, indicated that a consensus was needed. That is a positive contribution. Among all the negative comments that have been made by those who spuriously say that they are in favour of a bill of rights, that was a positive comment: a consensus is required. Are we likely to reach consensus in the direction in which some people appear to be going? I think not.

Do we want a rights-based agenda that is some form of leftist charter aimed at constantly thwarting effective delivery mechanisms for people — in the name of those very people? Conversely, do we want to adopt a minimalist approach whereby people will know that their rights are being protected, no matter what community they come from or sector they belong to, so that we can take Northern Ireland forward in a way in which the whole of our community can rest assured that a bill of rights has been achieved through the consensus and endorsement of all participants?

Mr Deputy Speaker: Before I put the question on amendment No 1, I advise Members that if amendment No 1 is made, amendment No 2 will fall, and I will proceed to put the question on the motion, as amended.

Question put, That amendment No 1 be made.

The Assembly divided: Ayes 42; Noes 47.

AYES

Mr Adams, Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr Brady, Mr Brolly, Mr Butler, Mr W Clarke, Mr Dallat, Mr Doherty, Dr Farry, Mr Ford, Mr Gallagher, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr A Maginness, Mr P Maskey, Ms J McCann, Mr McCarthy, Mr McCartney, Dr McDonnell, Mr McElduff, Mr McGlone, Mr M McGuinness, Mr McHugh, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Mr Neeson, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.

Tellers for the Ayes: Mr Attwood and Mr Gallagher.

NOES

Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Cobain, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr McCallister, Mr McCausland, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Rev Dr Ian Paisley, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.

Tellers for the Noes: Mr McQuillan and Mr G Robinson

Question accordingly negatived.

Question, That amendment No 2 be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly acknowledges that the unionist community has been largely excluded from the human rights process in Northern Ireland and under-represented within the human rights sector, resulting in the Bill of Rights Forum having a clear imbalance in the composition of its membership; believes that without the support of all sections of our community any Bill of Rights process is fundamentally flawed; and calls upon the Secretary of State to address these problems urgently, by ensuring processes that will facilitate better engagement with the unionist community and ensuring that the membership of the Bill of Rights Forum is more reflective of all the people of Northern Ireland.

The Deputy Speaker: Members will be aware that Question Time begins at 2.30 pm. The Assembly will therefore suspend for seven minutes.

The sitting was suspended at 2.23 pm.

On resuming (Mr Speaker in the Chair) —

Oral Answers to Questions

EDUCATION

Glastry College

2.30 pm

1. **Mr Shannon** asked the Minister of Education to give her assessment of the current state of negotiations regarding the site for the new build at Glastry College; and to detail the anticipated start date for the work. *[R]*
(AQO 436/08)

The Minister of Education (Ms Ruane): Go raibh maith agat. I am pleased that Glastry College is to get a newbuild, the cost of which is estimated overall at £12.6 million. I understand that those who are most closely involved with the school may be impatient about the pace of progress. However, I recognise that the procurement of a new school building can be a complex issue. I understand that negotiations between the South Eastern Education and Library Board and the landowner of the site have been concluded and that a sale price has been agreed between the two parties. Negotiations between the board and Land and Property Services on the vendor's professional fees remain to be concluded. The board has advised that it expects work on the site to start in autumn 2008.

Mr Shannon: I wish to declare an interest as a member of the board of governors of Glastry College. I thank the Minister for her comments and for her confirmation of the newbuild for Glastry College. However, I wonder whether she will confirm two points. First, has the board sought planning permission? The Minister said that a price had been agreed between the board and the landowner, and that is good news. Is that the case? I understand that there may be doubt about that. Secondly, will the start date of the build definitely be autumn 2008?

Ms Ruane: The acquisition of the site must be completed. The South Eastern Education and Library Board is confident that all negotiations will be concluded in the near future and that the acquisition of the site will be completed in the current financial year. Once the site is purchased, work on planning permission will begin.

In answer to the second question, the board advises me that the start date is autumn 2008. I know that work was to begin earlier, but there were some delays in negotiating the vendor's fees.

Mr O'Loan: What action is the Minister taking to expedite the current backlog of capital schemes that have already been approved?

Ms Ruane: As the Member knows, different organisations draw up proposals. We are working with the Strategic Investment Board to ensure that once any proposals are lodged, the build in question will be completed as quickly as possible. I am aware of the slow pace of the process where planning and other matters are concerned. The Executive need to look at those matters because they have an impact on Departments other than mine. However, I understand the frustration about the slow pace of builds that groups such as the boards, CCMS (Council for Catholic Maintained Schools), and Comhairle na Gaelscolaíochta have proposed.

Teacher Induction Year

2. **Mr Ross** asked the Minister of Education to provide an update on her recent meeting with her Scottish counterpart to discuss the introduction of a teacher induction year in Northern Ireland.

(AQO 430/08)

Ms Ruane: A provisional date of 12 December has been arranged for a meeting with the Cabinet Secretary for Education and Lifelong Learning in Scotland to discuss a range of educational matters. I will let the Member know the outcome of our discussions at the earliest opportunity.

Mr Ross: Given that the issue was raised in the Assembly in June, it is disappointing that the Minister has still not got round to meeting with her Scottish counterpart or even telephoning her or corresponding with her. Will the Minister update the House on the latest figures that detail the numbers of graduates who qualified in July and in the previous July but who still do not have a permanent full-time teaching post?

Ms Ruane: We have made contact with the Scottish Cabinet Secretary, and a date for a meeting has been set. Members will appreciate that recent times have been busy. If, for example, I had been in Scotland during the classroom assistants' dispute —
[Interruption.]

Mr Speaker: Order.

Ms Ruane: I do not have the figures for last July, but I can get them for the Member. However, I have the figures for the number of teachers who are on the substitute teachers register: in June, 5,400 teachers were on that register. That includes not only young teachers, but those of all ages who wish to be employed as substitute teachers and those who no longer wish to be full-time teachers.

Of 5,400 teachers who registered in June, 1,747 are under 30 years of age. It is important to note that many of the teachers on the register are not actively seeking full-time employment.

DETI employment statistics for June 2007, for claimants seeking employment as teachers, are as follows: 240 unemployed teachers; 68 teachers aged under 30 and unemployed for fewer than 26 weeks; and four teachers aged under 30 and unemployed for 26 weeks.

As for the number of teachers on the substitute register who are available for work tomorrow, a free registration service is available to substitute teachers of all ages who are recognised as eligible to teach in grant-aided schools and who are registered with the General Teaching Council. Those teachers may specify how little, or how much, substitute teaching they wish to do, how far they are willing to travel, and the school in which they wish to teach.

After my meeting with the Scottish Minister for Education, I will update the Member. Go raibh maith agat.

Mr Ford: Given that the number of teachers who qualify each year exceeds the number of available posts, how can the Minister guarantee a permanent job for teachers who have undertaken a teacher-induction programme? Has she discussed the number of student teachers with her colleague the Minister for Employment and Learning?

Ms Ruane: Pupil numbers have declined from almost 347,000 in 2001-02 to almost 333,000 in 2005-06. During the same period, the full-time equivalent teacher count has dropped by just over 1,000. In the next five years, numbers will continue to fall. Demography and falling numbers are a huge problem for the system, and that further decline will obviously have a significant impact on the number of newly qualified teachers that are required in the coming years.

I am sympathetic to the plight of newly qualified teachers and I hope that they will be successful in obtaining permanent teaching posts; however, I ask them to be creative and flexible in the choices that they make to determine their career paths. There are subjects with too many teachers and others in which teachers are in short supply. For example, more maths, science and Irish teachers are — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: I shall repeat that. For example, more maths, science and Irish teachers are required. Irish teachers are required because of a growing demand for Irish.

In the past three years, my Department has reduced the number of students entering initial-teacher education by more than 20% — from 880 in 2004-05,

to 699 in 2007-08. As part of the annual initial teacher-education-intake approval process, we will carefully consider the number of teacher positions that will be available in future years.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Does the Minister agree that, according to figures contained in a written answer to a question that I asked, it is unacceptable that 3,871 teachers on the substitute roll have never had full-time employment in education?

Does she agree that we have suffered emigration for long enough in this country, and why, as a so-called republican Minister, did she suggest to me in a written answer that young teachers take an *bád bán*, the emigration boat, to England, Scotland and Wales to gain employment?

Ms Ruane: First, at the risk of repeating myself, in June 2007, there were 5,400 teachers on the substitute teachers register. DETI unemployment statistics for June 2007, for claimants who were seeking to teach, show 240 unemployed teachers; 68 teachers under the age of 30 and unemployed for fewer than 26 weeks; and four teachers under the age of 30 and unemployed for 26 weeks.

Of course I regret that many people go to England, Scotland and Wales. Although, it is good for young people to travel and gain experience of other countries and other parts of the world, I would prefer that — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: I would prefer that opportunities existed for those teachers at home in the North of Ireland. I will also be — *[Interruption.]*

Mr McNarry: Guarantee one year.

Some Members: Northern Ireland.

Ms Anderson: The occupied Six Counties.

Mr Speaker: Order.

Ms Ruane: There is huge potential for North/South teacher mobility, which is one of the issues that I will be discussing in the forthcoming North/South sectoral meetings.

Transfer Procedure

3. **Mr Kennedy** asked the Minister of Education, further to her stated intention to replace the existing transfer procedure, to detail what criteria she will be recommending to over-subscribed post-primary schools in selecting pupils who are transferring from primary school at the end of year seven. (AQO 407/08)

Ms Ruane: I consider it premature to speculate as to which criteria might be most appropriate for use by

oversubscribed post-primary schools until the fundamental issue of how children should transfer from primary to post-primary education is resolved.

I regard that as a complex matter that requires the consideration of several factors, including the impact of demographic decline on school enrolment, structural changes arising from the review of public administration, the gradual move towards an area-based planning approach for schools, the implementation of the revised curriculum and, in particular, movement towards the entitlement framework, all of which must help children to access, on a fair and equal basis, a high-quality post-primary education.

Mr Kennedy: Will the Minister accept that, as a result of her adherence to political dogma and her determination to flog the absolutely dead horse of imposing a one-size-fits-all comprehensive system of education in Northern Ireland, she has effectively paralysed education here at all levels? Will she, even at this late stage, accept her ministerial responsibilities and act to find an acceptable and sensible way forward? Will she also extend that principle to ensuring a full and final resolution to the classroom assistants' dispute?

Ms Ruane: The current system does not give every child a fair chance. It is essential that we create a system that has equality as its cornerstone. It is also essential that children's individual needs are dealt with, rather than matching children to institutional needs.

Mr S Wilson: Does the Minister realise that she is gaining the reputation of being the Nero of education? She fiddles while the system burns with indignation. The previous question illustrates the point that there is chaos in schools, because principals, parents and youngsters do not know what they will face in three years' time. The Minister still refuses to make a decision on that.

Will the Minister outline to the Assembly the legal position on academic selection as it stands in Northern Ireland? Will she tell the Assembly whether, legally, academic selection can still be used in Northern Ireland to determine which post-primary school children go to?

Mr O'Dowd: Is that a speech or question?

Mr Speaker: Order.

Ms Ruane: I take my equality duties very seriously, and it is essential that every child is given a fair chance in the system. The education system provides academic excellence, and I want to ensure that every child has the opportunity to attain academic and vocational excellence.

We also have an education system with a tail of underachievement, although the Member seems to find it difficult to understand that. If we are failing children — and we are failing many children in all communities — we must take responsibility for every child that we fail. I have been meeting principals from every part of

Belfast and from all over Fermanagh, Tyrone, Derry, Down, Armagh and Antrim. Every one of them said — *[Interruption.]*

There is no need for Members to be rude and interrupt.

Mr Speaker: Order. The Minister has the Floor.

Ms Ruane: Thank you.

2.45 pm

Mr Speaker: I remind Members that while Question Time can be lively, it is vitally important that both Members and Ministers address their questions and responses through the Chair. I also remind Members that this is Question Time; Members are almost making statements to the Minister — from all sides of the House. We have to be careful with that.

Ms Ruane: I take my responsibilities as Minister of Education very seriously. I will bring forward proposals that put the child at the centre of our education system. I will also bring forward proposals that will give every child a fair chance, whether he or she comes from the Shankill Road, Rathcoole, the Falls Road, or the Bogside in Derry.

Members need to have a mature discussion on this issue, rather — *[Interruption.]*

Mr Speaker: Order. I do not know how many times I am going to have to say this, but I ask the Minister and Members to address their remarks through the Chair, not across the Floor.

Ms Ruane: I ask Members not to play politics with the education of our children. We are bringing about changes that will result in significant advantages to the education system in the North of Ireland. There are huge changes to be made, and I ask that all parties work with me in bringing about those changes, rather than engaging in political point scoring. Go raibh maith agat, a Cheann Comhairle.

Ms Ní Chuilín: Go raibh maith agat, a Cheann Comhairle. Will the Minister agree that whatever replaces the 11-plus, it is essential to ensure that no child is labelled a failure at the age of 11 and that the end to academic selection must ensure that there is an end to the huge trauma and damage that it has caused to the children of society?

Ms Ruane: Go raibh maith agat. As I said, our system is telling far too many children, at a very young age, that they are failures. That is simply unacceptable. I agree that we have to find a method of transferring our children from primary to post-primary education that puts equality at the core, that values all children and that tells all children that they are a success. That is the challenge for me, as Minister of Education, and I take that challenge seriously. I assure the House that I will put the interests of all children at the centre and match educational needs with children, rather than matching children with institutions.

Parent-Pupil Interaction

4. **Mr Beggs** asked the Minister of Education what steps she is taking to increase parent-pupil interaction in areas of high social need. (AQO 444/08)

Ms Ruane: I thank the Member for his important question. There is a substantial body of research regarding the influence of parents on their child's educational achievements. Parents are the primary educator of the child, and, as such, should be part of a working partnership. Parental involvement in children's learning is related positively to achievement. The more intensively parents are involved in their children's learning, the more beneficial are the achievement effects.

I have attended several recent meetings with school principals and parents. I was encouraged by the fact that they all recognised the importance of parental involvement and the need for all of us to seek and develop ways of supporting parents with their child's development.

While we encourage all schools to work closely with parents, the extended schools programme provides the means by which schools in socially disadvantaged areas can develop their relationships with parents.

The position in socially disadvantaged areas is more challenging because some parents view the school as not being a welcoming place. Perhaps that is because of a poor personal experience when they were at school, an incident at school, or a perception of the school being critical. In many cases, those perceptions are unfounded; in others, there may be a degree of truth. Either way, we must alleviate their fears and engage positively with parents who have such a crucial influence on their children's educational experience.

Parents are being provided with opportunities to engage with extended schools through programmes of activities that have been developed in consultation with parents — for example, family learning, parent support groups and IT classes.

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

Mr Speaker: No points of order can be made during Question Time. I am happy to take a point of order after Question Time.

Ms Ruane: My Department's earmarked budget for parenting initiatives is currently £260,000 per annum and is allocated entirely to the education and library boards.

Each board received £52,000 this year. The purpose of the funding is to develop support for parents whose children are experiencing difficulties in mainstream schooling, with particular emphasis on pupils and parents from disadvantaged backgrounds. It is a matter for each board to determine how these earmarked

resources should be used. Boards are also free to supplement this funding by allocating further resources from within their overall block grant.

Mr Beggs: I declare an interest as a member of the New Horizon Sure Start committee, which operates in Carrickfergus and Larne.

I thank the Minister for her answer, but I am concerned about the level of funding that is available for parenting support. In particular, the children's fund is coming to an end in March 2008. Given the Minister of Finance and Personnel's statement that that fund will not continue, will the Minister assure us that the valid parenting support programmes that have been developed through the children's fund and other mainstream funding such as Sure Start will be continued beyond March 2008?

Ms Ruane: I agree with the Member on the importance of the children's fund, and also in relation to early intervention. For everyone I speak to — and I know that it is the same for every Member who is interested in education — early intervention is of key importance. The role of parents is of key importance. In schools that have been founded by parents — in the integrated and Irish-medium sectors, for example — you can see that. Recently, I visited the Belfast Boys' Model School and the Belfast Model School for Girls — the full-service extended school. There is proof that when parents are involved in their children's education and involved with the school in a direct way, where they feel ownership of the school and of the curriculum, you see positive outcomes.

Whatever we have in place after the Budget, it is essential that funding be earmarked for parent-school initiatives and extended schools.

Mrs Long: I declare an interest as a member of the board of governors of Sydenham Infants' Primary School. Given that the Minister recognises the importance of engaging parents directly in the school and creating a welcoming environment, what plans has she to accommodate that within the school buildings handbook?

Schools which are currently engaged in involving parents use spare classrooms. However, when they get new school buildings, they do not have any facilities for bringing in parents and engaging with them. Are there any plans to try to encourage that further by amending the school buildings handbook to reflect its importance?

Ms Ruane: I will bring that question to the attention of my officials and we will discuss that.

Mr P Ramsey: What progress has been made on the formulation of a new literacy and numeracy strategy? What elements have been built into it to address the recommendations of the report of the Westminster

Public Accounts Committee, 'Improving literacy and numeracy in schools (Northern Ireland)'?

The Minister will be aware that 1 in 4 adults in Northern Ireland have literacy and numeracy problems. We want to ensure that future generations do not have the same difficulties.

Ms Ruane: I thank the Member for his question. I agree wholeheartedly with him about literacy and numeracy. It is one of the key issues that faces the Executive and me as Minister of Education.

If we continue to produce a tail of underachievement, and if 4,000 young people continue to leave our schools each year with poor literacy and numeracy skills, we will continue to have problems in our society. Not only will we have failed those 4,000 young people each year: we will have condemned them to great difficulty in getting jobs and getting on the first rung of the ladder. It is essential that we bring forward proposals on literacy and numeracy. I am currently considering those proposals and the make-up of a task force. I am examining the school improvement policy and the literacy and numeracy strategy. All the initiatives to deal with disadvantage come into play here. I thank the Member for his question; it is a key challenge that faces us.

Dickson Plan

5. **Mr Gardiner** asked the Minister of Education what plans she has to develop the successes of the Dickson Plan, which has been operating in north Armagh for the past 38 years, across the whole of Northern Ireland. (AQO 408/08)

Ms Ruane: I recognise the good work that is taking place in schools participating in the Dickson plan. I consider the Dickson plan, which involves children transferring at ages 11 and 14, to be an interesting model, but the part that selection by ability plays in it is something that I find unacceptable as a basis for new arrangements.

Rather than try to match children to types of schools, I intend to introduce proposals that focus on matching education provision to individual children, so that every child may have access to a high-quality post-primary curriculum.

Mr Gardiner: I declare an interest. I sit on the board of governors of both Carrick Primary School and Dickson Primary School in Lurgan.

I welcome part of the Minister's answer. In her early months as Minister of Education, she spoke about giving every child a fair chance and that none would be considered a failure. It would be welcome were she to accept the Dickson plan or incorporate it into her proposals. If she does not, I will be sorely disappointed in her.

Ms Ruane: Children naturally make choices at the age of 14, and that is an interesting aspect of the Dickson plan. At Key Stage 3, children decide whether to concentrate more on science, or on professional or technical subjects. As a pathway, that age is more appropriate. I have been to some of the schools involved, and the use of academic ability as a criterion is an unacceptable part of the Dickson plan. It is unnecessary, and other systems around the world do not do it. There is a better way in which to have a fairer system. However, I will look at the Dickson plan and at the age of 14 as a model for transferring.

Mr Gallagher: Does the Minister agree that, whatever the shortcomings of the Dickson plan, and it may have some, it is at least a local solution, which has the support of parents and governors in the area? As the Minister does not appear to be able to think her way out of this situation herself, has she any intention of welcoming local solutions from other areas that have the support of parents and governors? Alongside that, will she welcome a transfer age of 14 for pupils?

Ms Ruane: I am perfectly able to think, and the Member will see plenty of the results of my thinking in the near future. *[Interruption.]*

Mr Speaker: Order, Members. The Minister has the floor.

Ms Ruane: I have met recently with many principals, parents and governors who are crying out for change. I have met the parents and the principals of the children that we are failing, and I have met the principals of secondary schools who want change and fair play in the system. I have met many people in the grammar school sector who also want change, so there will be change.

As I have said, 14 is a more natural age at which to transfer. It is a natural age for young people to make choices and decisions along with their parents and teachers. Our young people know what they want, what they are good at and what they are interested in. It is vital that young people have power and a voice in the process. At the age of 11, they have no power, and adults are making decisions that are not fair to children or in their best interests. It is time that the children's voice were heard.

Mr Moutray: Given what the Minister has said, will the Minister inform the House whether she considers selection on the basis of ability and aptitude to be more appropriate at the age of 14 than it is at the age of 11?

Ms Ruane: I shall read out my answer again, because perhaps certain Members are not listening. I consider the Dickson plan, which includes children transferring at 14, to be an interesting model, but the part played in it by selection by ability is unacceptable as a basis for new arrangements.

GCSE Achievement

6. **Mr McCallister** asked the Minister of Education what percentage of pupils in year 12 failed to achieve at least one GCSE at grade C or above (or equivalent); and to outline how these figures compare with other regions of the United Kingdom. (AQO 446/08)

Ms Ruane: Go raibh maith agat, a John. I thank you for your question, which is very important.
[*Interruption.*]

Mr Speaker: Order, Members. I rise for the third occasion this afternoon. I remind the Minister to address her remarks through the Chair.

A Member: Go raibh maith agat, William. [*Laughter.*]
3.00 pm

Ms Ruane: Through the Speaker, I want to congratulate the Member on his Irish.

In 2005-06, the percentage of year 12 pupils who failed to achieve at least one GCSE at grade C or above, or the equivalent, was 14.4% in the North of Ireland, compared with 23.4% in Wales, 20.1% in England and 13.9% in Scotland. Those figures are far too high. The system is failing too many children. Of a total of just under 25,000 year 12 pupils, 14.4% equates to over 3,500 children.

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

EMPLOYMENT AND LEARNING

Research and Development Spending

1. **Mr K Robinson** asked the Minister for Employment and Learning to detail the total level of spending on research and development in Northern Ireland universities in each year for the past five years. (AQO 403/08)

The Minister for Employment and Learning (Sir Reg Empey): Investment in research and development is central to the future success of the economy. In total, the universities have spent over £614 million on research and development between the academic years 2000-01 and 2004-05. The yearly breakdown is as follows: £98.8 million in 2000-01; £105.8 million in 2001-02; £127.8 million in 2002-03; £136.1 million in 2003-04; and £146.2 million in 2004-05.

Mr K Robinson: I thank the Minister for his detailed answer. I am glad that the figures are going in the right direction. Can the Minister indicate whether he is still inclined to support the concept of an innovation fund,

which, I believe, originated with the former Chancellor of the Exchequer, Gordon Brown, in November 2006?

Sir Reg Empey: The Member is correct; the concept of an innovation fund first appeared at Downing Street in November 2006 and was subsequently reinforced at a second meeting there in early spring 2007. The Chancellor indicated that he would set up an innovation fund. My colleague the Minister of Finance and Personnel will confirm that it was indicated that a sum of money would be provided for that fund in the current financial year. However, that money cannot be spent instantaneously or in-year: it takes three to four years to roll out a meaningful programme. I assure the honourable Member that Ministers are interested in the fund.

The Irish Government have indicated that they are prepared to put forward £36 million for a similar fund, to which Northern Ireland would have access. However, the details of that innovation fund have not yet been resolved. I hope that whatever is available will emerge during the CSR (comprehensive spending review) process in the next few weeks.

Mr O'Loan: The Minister will be aware of the third-level research-and-development forum that has been set up by the Irish Government, the function of which is to develop R&D initiatives. It is a major initiative that involves the expenditure of around €1 billion. The purpose of the fund is to lead to investment and job opportunities on the island at the highest technological level, which is what the economy needs if it is to reach the point that everyone talks about. What plans does the Minister have to provide the necessary funds to Queen's University and the University of Ulster in order to enable them to participate in that initiative?

Sir Reg Empey: Departmental officials and I have been in regular contact with the Department of Enterprise, Trade and Employment and the Department of Education and Science in Dublin in order to identify which projects we can undertake jointly, over and above the work that is already being done.

First, we must establish the availability of an innovation fund for Northern Ireland, and ascertain how the money that will be allocated by the Republic of Ireland's Government would be phased in, when it would become available, and for what purposes. That work is ongoing. I am aware that, as part of the Irish Government's national development plan, approximately €1.2 billion was allocated for research and development. Therefore, it is clear that the Irish Government are making that issue a high priority. We share that priority, and we are working together to see what projects can be jointly undertaken and funded.

Mr McCausland: What actions has the Minister taken to increase the number of university places, particularly PhD places, at Queen's University Belfast and the University of Ulster?

Sir Reg Empey: That is a matter of key importance. We have made bids in the comprehensive spending review for funding aimed at increasing those numbers. Currently, we receive funding for that purpose through Europe, which will come to an end in the current financial year. That funding will not be replaced. Therefore, we must make good on the funding that we used to get from Europe and, in order to make progress, we hope to go further. I have been in touch with the universities, which have told me that they have the capacity to do more. However, we need money to do that, and that is work in progress. I assure the Member that the securing of funding to provide for more PhDs and for research and development is one of our highest priorities

Mr Speaker: Question No 2 has been withdrawn.

Young People Not in Education, Employment or Training

3. **Mr Attwood** asked the Minister for Employment and Learning to confirm the number and percentage of young people aged (i) under 25; (ii) under 21; and (iii) 16-18, who are not in education, employment or training. (AQO 480/08)

Sir Reg Empey: The closest approximation to the figures that have been requested comes from the April 2006 to March 2007 labour force survey. At the time when the survey was undertaken, it was estimated that 34,000 — or 15% — of 16- to 24-year-olds in Northern Ireland were not in employment, participating in Government training schemes, or in full-time education. For those aged 16 to 20, the estimates were 19,000 — or 15% — and for those aged 16 to 18, the estimates were 9,000 — or 12%.

Mr Attwood: I thank the Minister for his reply. It is somewhat shocking to hear that 12% of 16- to 18-year-olds are not in education, employment or training. There is an even higher figure in respect of older age categories. Does the Minister know what the Department is doing, in broad terms, to address the matter of 16- to 18-year-olds who are not in education, employment or training?

Will the Minister comment on last week's media report that stated that social policy will no longer dominate the Programme for Government, as it has in the past? Given that 16- to 18-year-olds require all sorts of social policy frameworks, is the Minister concerned by the contents of that media leak as an indicator of the Government's policy on young people?

Sir Reg Empey: I thank the Member for his question. Shocking as those figures are, I will put them in context. An examination of the equivalent position in the UK as a whole shows that 15% of 16- to 24-year-olds are not in education, employment or training in Northern Ireland — while that figure is 18% in the UK as a whole. For 16- to 24-year-olds, that figure is

15% in Northern Ireland, and 16% in the UK as a whole. For 16- to 18-year-olds, that figure is 12% here, and 14% in the UK as a whole. However, I take little comfort from those figures.

As for the matter of an alleged leak, that may have been due to a comment that someone made. However, at present, the Executive have not determined their Programme for Government, which is a work in progress. I assure the Member that the economy and all matters relating to it, including the matters that he raised, are very much in our minds.

My Department is trying to reduce the number of people who do not have qualifications, as one of its key priorities. What are we doing about that? The Department has a full range of interventions to help young people, such as Training for Success; New Deal; and the Disablement Advisory Service.

There is the Local Employment Intermediary Service (LEMIS), the progress2work (NI) initiative, not to mention the extensive range of jobs and benefits offices and job centres. Careers Service Northern Ireland actively targets people at risk of exclusion and works with schools to identify vulnerable groups at an early stage. My colleagues in the Department of Education are currently reviewing policy in respect of alternative education provision to encourage young people to continue to engage in learning even though they have disengaged from school.

The problem is difficult. Of course, the figures I mentioned clearly include those who live at home and who are not participating in education. A wide range of reasons are involved, but I assure the Member that we are acutely aware of the problem. Although our progress on this matter is slightly better than that in the rest of the United Kingdom, we still consider the statistics to be, as the Member said, shocking.

Mr Ross: The Minister has detailed the steps that the Department is taking. Will he inform the House of the specific targets that he and the Executive are working towards in order to reduce the number of economically inactive people in Northern Ireland?

Sir Reg Empey: The rate of inactivity is 27%, compared to the national figure of around 23% or 24%. There is no doubt that we have a great distance to cover. One of the new proposals being rolled out is the Pathways to Work programme, which is designed to offer alternatives to people on incapacity benefit and help them to find work. It will be rolled out across Northern Ireland by next spring and it is specifically designed to get people into work. Everyone qualifying for incapacity benefit must now automatically attend an interview, and trained advisors are available to help them.

The Pathways to Work for Lone Parents programme is designed to target lone parents, for whom childcare and other matters are clearly huge issues. That programme

is being piloted in a number of areas. The Steps to Work programme is being rolled out simultaneously, and that is open to claimants on a variety of benefits. Indeed, benefits are available to help those who have found work to overcome the transition from being on benefits to being in employment. A substantial range of programmes has been designed to bear down on the issue. Although we have not set a target in the Programme for Government, which is under consideration, I will bear the Member's remark in mind. Perhaps we ought to set a target. However, if we set targets, we must have the resources to achieve them. There is no point in tilting at windmills, and I am sure that the honourable Member would agree.

Training Strategies

4. **Mr Cobain** asked the Minister for Employment and Learning to detail the strategies his Department has put in place to provide access to training for those in the small and medium-sized enterprises sector.

(AQO 467/08)

Sir Reg Empey: Through 'Success through Skills: The Skills Strategy for Northern Ireland: A Programme for Implementation', my Department is currently taking forward a range of strategies to provide the access to training for businesses, including the small and medium-sized enterprise sector. Among them is the Training for Success initiative, which includes the apprenticeship and preparation for apprenticeship programmes, management and leadership courses, and training in the essential skills of literacy and numeracy.

At local level, six employer-led local workforce development forums are charged with identifying local skills shortages and with the implementation of appropriate local interventions through the further and higher education sector and other training providers.

Mr Cobain: Does the Minister accept that many small companies are reluctant to engage in training employees due to the fact that a high level of employees leave once qualified? What steps does he have in mind to reduce the risk to such companies and therefore ensure that training is available to all?

Sir Reg Empey: Northern Ireland has a very high proportion of very small businesses, which are often owner-managed. There is no doubt that it is difficult to convince such companies that there is benefit in training. Part of the reason is that many owners of such companies carry out a host of different jobs, and it is extremely expensive for them to spare their staff time and allow them to go on training. Thus, many companies opt out of training and do not bother with it.

3.15 pm

However, Northern Ireland has a range of sector skills councils that represent the views of employers on the types of training that are required, and apprenticeship programmes are in place. There is a further opportunity at local level with workforce forums, in which the colleges can engage with the local business community. It is not impossible for the colleges to go to external venues to assist with training.

The further education sector is prepared to be flexible. We must continue to get the message out to small businesses that training is absolutely critical. The more I talk to businesses, at home or abroad, the more I find that skills are at the top of the agenda. We have a huge task to convince businesses that skills training is in their interest, and I take on board the comments that the Member has made.

Mr Buchanan: Will the Minister tell the House what monitoring and assessment of training will be conducted to ensure the successful delivery of all the strategies that he has outlined?

Sir Reg Empey: There is no doubt that if a business does not monitor its programmes, it has no way of assessing their success. Training providers know that monitoring procedures are built into their service contracts, and reviews are frequently carried out. The Pathways to Work programme, for example, has reviews built in, as does every similar programme. We often have to bring in experts to provide an impartial view in tandem with our own review process, and regular figures are provided on our performance as regards getting people into proper full-time work. The Member is correct; it is essential that we monitor progress. Every programme and every contract has monitoring procedures built in.

Community Training

5. **Mr Elliott** asked the Minister for Employment and Learning what assessment he has made of the impact on other service providers of the decision to deliver a higher proportion of community training through regional colleges.

(AQO 443/08)

Sir Reg Empey: The Department has not yet taken a decision to deliver a higher proportion of community training through regional colleges. Further education colleges continue to offer an extensive range of vocational and non-vocational provision throughout the network of 48 campuses and 876 outreach centres across Northern Ireland. As incorporated bodies, responsible for their own day-to-day management and decision-making, further education colleges may enter into collaborative training partnerships with third-party organisations, provided such arrangements comply with the guidance set out by my Department.

Mr Elliott: Has the Minister any plans to allow further education colleges to outsource any training provision to third parties or outside organisations?

Sir Reg Empey: My Department has no plans to contract directly with third parties for further education provision. That is due to stringent quality assurance, audit and accountability requirements and the potential duplication of services. However, as I said in my original answer, there are 48 further education campuses with 876 outreach centres; they have a very large catchment area. They are prepared to be flexible, and to go out and conduct training in a variety of venues. The experience of other countries tells us that we can use our college system in that way as a major tool for economic development. I encourage everyone to avail of that, and urge local companies with problems to go to the colleges, whether for technical assistance or to use the excellent machinery or equipment. There must be greater engagement in that regard; but we have no current plans to introduce third parties into the equation.

Mr McCarthy: Since the establishment of the new regional colleges, senior citizens have been hammered by increased charges, so much so that they are now deprived of courses in community training and other subjects. Will the Minister admit that the new colleges are discriminating against our senior citizens? As the Minister responsible, what does he intend to do about that?

Sir Reg Empey: Although the Member's question deals with a separate issue, I am happy to answer it. The colleges are incorporated bodies, and they set their own courses and fees. In recent weeks, I have had correspondence from many Members about the issue. An odd quirk has arisen. Age-discrimination legislation was introduced ostensibly to prevent people being discriminated against on the grounds of age. However, there appears to be conflicting legal advice on the matter. One such piece of advice is that one cannot discriminate in favour of someone because of age. Consequently, the colleges have been faced with the problem that, if they were to give preference to someone on the grounds of age, they may be deemed to be acting outside the law.

Furthermore, amalgamation of the colleges has resulted in several of them setting different fees. Therefore, they have had to co-ordinate on that. The Department does not control or direct the setting of fees; it is done entirely by the colleges. However, given that there are fee-setting discrepancies in different parts of the country, I have been in contact with the colleges. Given that colleges cannot discriminate in favour of older people on the grounds of age, other criteria are being considered so that assistance can be made available. I agree that the issue is concerning many Members. I have asked for work to be done on the matter; however, I stress that the colleges set their fees and determine their courses.

Mr Gallagher: Does the Minister accept that there was general support for the way in which community education was delivered under the old college system? Does he agree that, since the amalgamation of the colleges, the minimum enrolment threshold has been raised and that that has had an adverse impact on community education? In the west, enrolments have dropped dramatically. Does the Minister share my concern about the adverse impact that that is having, particularly on rural communities? Will he look into that further?

Sir Reg Empey: Access remained a criterion before the college amalgamation could proceed. The footprint of the colleges has not changed: the campuses all still exist. If the Member has specific issues to raise about his constituency, I am happy for him to write to me and I will take up his concerns with the relevant colleges. However, I repeat that, based on the number of people that must participate in a course to make it viable, colleges decide on the courses that they run and the fees that they charge. Other Members have pointed out that part of the problem is that several people sign up to a course, making the college believe that sufficient numbers allow it to be run. However, some of those students may drop out midway through the course or do not attend, making it unviable. If the Member has a specific example that he wishes to discuss, I will be happy to take it up with the relevant college. However, it is a matter for the colleges to set their own thresholds.

Scottish Executive Counterpart

6. Mr McClarty To ask the Minister for Employment and Learning what contact he has had with his counterpart in the Scottish Executive. (AQO 401/08)

Sir Reg Empey: Following the earlier visit to Northern Ireland by the First Minister of Scotland, I met the Scottish Cabinet Secretary for Education and Lifelong Learning, Fiona Hyslop MSP, in Edinburgh on 30 July 2007.

We discussed areas of mutual interest including the potential for greater co-operation in higher education, support for students and the skills agenda. I look forward to continuing our discussions and I have invited the Minister to visit Northern Ireland to follow up on her interest in our skills strategy.

Mr McClarty: I thank the Minister for his response. During those discussions with his Scottish counterpart, did he raise the issue of offsetting or subsidising the cost of student travel between Northern Ireland and Scotland?

Sir Reg Empey: Yes, I did. When Alex Salmond visited Northern Ireland earlier this year, the First Minister and the deputy First Minister asked for co-operation with the Scottish Government at several levels. This specific issue was raised, and my discussions

with the Scottish Government are ongoing. Clearly there is a range of issues, including transport. However, it must be understood that the Scottish Government are taking legal advice, because it could be argued that to subsidise travel costs for students from Northern Ireland, and not from elsewhere, would be discriminatory.

We are also considering whether bursaries for student hardship funds can be made available because, as the Member knows, about 5,500 students from Northern Ireland are studying in Scottish universities. The Scottish Minister acknowledged that that represents a huge inflow of money to the Scottish economy, and our discussions on that continue. However, reciprocal arrangements would have to be made for the small number of students who are domiciled in Scotland but study in Northern Ireland.

Mr P Ramsey: I noted the Minister's comments at the weekend, particularly on inward investment. He said that American companies in particular were no longer seeking grant aid but wanted a skilled workforce. Given the Republic of Ireland's success in providing such a skilled workforce for the high-tech and IT sectors, does he intend to hold discussions with his counterpart to identify how the North could benefit from the successful training schemes that have been operating in Southern Ireland?

Sir Reg Empey: As I said in answer to an earlier question, I am in regular contact with my counterparts in Dublin. I met both the relevant Ministers on my visit to Dublin on 3 September. My Department and its Southern equivalent each hold an annual skills conference, and we have suggested that there be a joint conference next year. It is hoped that that will take place in early summer of 2008.

One of the conference's focal points will be how to assist employers, particularly in the border counties. We want to ensure that labour market intelligence is shared in order to satisfy the training institutions and colleges in the border region that they offer training relevant to the local people and employers.

Although no venue for the conference has been fixed, the honourable Member may be interested to know that one suggestion is to hold it not a million miles away from his constituency. We are hoping that it will happen around May or June next year. I assure the Member that we are pursuing every avenue with our counterparts, particularly because, if the innovation funds of both Northern Ireland and the Republic of Ireland become available, there will be a much larger pot with which to work.

Mr Shannon: What plans does the Minister have to meet Ministers from other constituent parts of the United Kingdom, apart from Scotland? Is he prepared to make a statement to the Assembly identifying the areas of mutual benefit?

Sir Reg Empey: I am happy to consider making a further statement. I have invited my opposite number from Wales to visit Northern Ireland at the earliest opportunity, but as yet no date has been fixed.

My Department is in daily contact with the relevant Department in the Scottish Government, and I have frequent contact with our opposite numbers in Whitehall in the Department for Innovation, Universities and Skills. There has been recent correspondence and video conferencing. I hope to join Bill Rammell MP, who is the Minister of State for Lifelong Learning and Further and Higher Education, at an event in London in December. I assure the Member that the Department has an active programme of involvement with its counterparts in the rest of the United Kingdom.

3.30 pm

Job Ready Scheme

7. **Mr Storey** asked the Minister for Employment and Learning to detail the remaining issues that surrounded the completion of arrangements for the management of the new Job Ready scheme. (AQO 459/08)

Sir Reg Empey: All management arrangements associated with the Job Ready strand for the Training for Success provision are in place, including the operational guidelines. They will be updated as required throughout the life of the programme. I am also pleased to report that, to date, we have enrolled almost 3,000 students.

Mr Storey: Although I understand what the Minister has said, I have been listening to the disquiet among the private training providers who have been hitched to contracts for Training for Success and its Job Ready component, and they still await definitive guidelines from the Department for Employment and Learning. Are those training providers being unreasonable in requesting those guidelines from the Department after three or four months?

Mr Deputy Speaker: Time is up. The Minister will have to respond to the Member in writing.

ENTERPRISE, TRADE AND INVESTMENT

Investment from India

1. **Lord Browne** asked the Minister of Enterprise, Trade and Investment what action he was taking to deliver investment from India to Northern Ireland; and to outline what sectors were being targeted for investment. (AQO 463/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): From 2004 to March 2007, Invest Northern Ireland (INI) worked with six Indian companies to secure over £65 million in planned investment into Northern Ireland, promoting some 2,235 jobs. In the past three years, Northern Ireland has seen increasing success from the Indian market. Investors from India include Firstsource, HCL Enterprises, Polaris Software Lab, Pix Transmission, BPO Services and, most recently, the announcement by Tech Mahindra.

To build on that success, and with investments from India increasing, Invest Northern Ireland is setting up an office in India to capitalise on the opportunities there. That office will be based in Mumbai, and it will seek to promote further trade and investment links with India. The key sectors to be targeted will be the areas in which Northern Ireland offers a globally competitive proposition, notably in financial services, business services and information and communication technology.

Lord Browne: I thank the Minister for that informative answer. We often hear about outsourcing of jobs to India, but it is good to know that investment is moving in the other direction and bringing much-needed jobs to Northern Ireland. It is important to focus our attempts on attracting inward investment, in particular in the financial services sector. It is also advantageous to concentrate such investments in particular geographical areas. Does the Minister agree that the Titanic Quarter is ideally suited for financial service investment?

Mr Dodds: The Member has made some important points about the significance of the Indian market for Northern Ireland, and he is right to draw attention to that. The Titanic Quarter has strong advantages, particularly in the financial services sector. Other honourable Members have also raised the point about locations, but Invest Northern Ireland does not determine the location for any potential investor. That decision is ultimately taken by the investor. Invest Northern Ireland tries to promote the Province as a whole, so that it is competitive in areas where it might attract foreign direct investment. However, ultimately, the decision on the location rests with the investor. If investors propose specific areas in which they are interested, Invest Northern Ireland will work with local stakeholders to best position that investment.

Mr Molloy: Thank you, a LeasCheann Comhairle. In view of the forthcoming economic investment conference, will the Minister outline what steps he is taking to ensure that Invest NI will involve all councils and constituencies, particularly west of the Bann, to get a proper opportunity for involvement in the conference and for future investment in that area?

Mr Dodds: With your permission, Mr Deputy Speaker, I am happy to deal with the question although

it concerns the United States rather than India. The conference is very important, and is one that the Department of Enterprise, Trade and Investment (DETI) has made a priority. Gordon Brown, when he was Chancellor of the Exchequer, announced that he would give the conference a lot of his attention. The Department is about to establish a steering group to oversee arrangements for the conference, and it will comprise representatives from all key stakeholders — not least, the US consul general.

The Department will be mindful of the best interests of the whole of Northern Ireland during preparations for the conference. Although not every Department, nor the councils, will be represented directly, I expect that councils will welcome the opportunity for a very strong case to be made to potential American investors on why they should bring important foreign direct investment opportunities to the Province.

Mr McCallister: I declare an interest as someone who is involved in the agrifood industry. The Minister will know that agrifood businesses have huge potential for further development in India. Has he had any discussions with Northern Ireland processors with a view to partnering and improving their prospects in the Indian market?

Mr Dodds: The Department has not had any specific discussions about the Indian market. However, in recent days we have engaged directly with the industry and processors to discuss how they can best be promoted. The industry is a key part of our manufacturing sector, and it is also a very important area for Invest Northern Ireland, supplying it with the largest number of clients and sales. My Department and I will continue to give the industry a lot of attention over the coming months and years.

Renewable Sources

2. **Mr G Robinson** asked the Minister of Enterprise, Trade and Investment to outline his plans to increase the overall percentage of the power requirements of Northern Ireland produced from renewable sources. (AQO 419/08)

Mr Dodds: The Department is aiming to increase the percentage of our electricity consumption that is generated from indigenous renewable sources from 3·8% in 2006-07 to 12% in 2012-13. The Northern Ireland renewables obligation (NIRO), which is part of the successful UK-wide certificate-trading scheme, is the main support mechanism to help the Department reach that target. NIRO is complemented by other initiatives, particularly the Reconnect programme in the environment and renewable energy fund, which supports investment in non-wind renewables and micro-generation.

A major cross-border electricity grid study is also nearing completion, which will help determine the investment needed to ensure that grid networks in both Northern Ireland and the Irish Republic are sufficiently robust to accommodate the growth in the generation of renewable electricity until 2020 and beyond.

Mr G Robinson: As the aim is to increase the percentage of electricity consumption from renewable sources to 12% by 2012-13, will the grant aid that is available to people building new homes or refurbishing existing ones to install renewable-energy features, such as solar panels, be maintained to encourage the integration of such systems into their plans?

Mr Dodds: The majority of the contribution to the 2012 target will be made by large-scale wind farms and energy systems. The contribution from household schemes is important, and is something that the Department wants to encourage, but it is relatively small — around 1% of the total renewable energy generated. My colleague, the Minister of Finance and Personnel, is looking at scope for including micro-generation in building regulations, which would be an important contribution.

Mr Beggs: The Northern Ireland environment is particularly suited to willow production. Can the Minister advise how his Department has assisted large-scale trials of willow production? Any assistance will instil confidence in producers and, ultimately, in the systems that use willow to generate electricity or heat.

Mr Dodds: The Member is right to stress the importance of willow production. There are good examples of those types of projects and work, particularly in the north-west of the Province, and I hope to visit one of them soon. During the summer, several Ministers visited the Smithsonian Folklife Festival in the United States; one of Northern Ireland's major displays was on energy generated by willows and related issues. Therefore I assure the Member that the Department of Enterprise, Trade and Investment will continue to work closely with partners to ensure that what can be done to progress willow production will be done.

Mr Gallagher: Even though the Minister says that the implementation of the Reconnect scheme is unimportant in the bigger picture, does he agree that it is important in encouraging people to act locally in relation to what is a serious problem for the country — indeed, for the world? Can the Minister tell the House whether he has plans for the better promotion of the Reconnect scheme, or if there are plans for its refinement or extension?

Mr Dodds: It is right to highlight the important contribution that people can make in their own homes by ensuring that more energy comes from renewable sources, and that can be done by the implementation of

such schemes as Reconnect. Recently, I had the pleasure of visiting a home in the Strangford constituency that had lately installed solar panels, and the householders commented on the savings in fuel and energy costs and their contribution to the environment. The Reconnect scheme has been going for a while, and I have been engaged in efforts to raise its profile. I encourage people to apply. Members will be aware of recent television and other media advertisements that have attempted to raise the scheme's profile and to encourage more applications, and help is available with those. The Reconnect scheme, therefore, has an important contribution to make, but, as the Member stated, the majority of the contributions in the area of renewable energy will come from bigger projects. However, that must not lessen the impact that each of us can make if we do our bit.

Northern Ireland Tourist Board

3. **Mr McQuillan** asked the Minister of Enterprise, Trade and Investment what plans he had to enhance the role of the Northern Ireland Tourist Board.

(AQO 426/08)

Mr Dodds: Tourism makes an important contribution to the local economy, and the Northern Ireland Tourist Board plays a key role in supporting the sector's development. As a first step in strengthening that role, I recently approved a new senior management structure for the Northern Ireland Tourist Board. In addition, I am in discussion with the Minister of Culture, Arts and Leisure regarding the merger of the Northern Ireland Events Company with the Tourist Board. That will further enhance the role and portfolio of the Tourist Board by drawing together the expertise and staff of both organisations. I am also mindful of the recommendations of the report of the House of Commons Select Committee on Northern Ireland Affairs, which included references to the fragmentation of support services. I am keen to address those issues over the coming months to ensure that the Northern Ireland Tourist Board is properly equipped to deliver its important objectives.

Mr McQuillan: Does the Minister agree that the Northern Ireland Tourist Board should have a role to play in the promotion of tourism in Great Britain?

Mr Dodds: I was in Edinburgh last Tuesday to discuss that and other matters — including renewable energy — with my Scottish ministerial counterpart, and we discussed the marketing of Northern Ireland. The Scottish Minister wanted to share the marketing of Scotland with me.

3.45 pm

The Tourist Board and Tourism Ireland are co-operating on a Northern Ireland-specific campaign to

market the Province to Scotland and the north of England — areas with which we have a very close affiliation. There has been a slight reduction in the number of visitors from Great Britain, and that needs to be addressed very urgently.

However, it must be recognised that with so many opportunities now available for people to fly to foreign destinations at relatively low cost, the short-break market in Northern Ireland and other parts of the United Kingdom is under pressure.

I will monitor the work of Tourism Ireland and the Tourist Board very closely to ensure that there is value for money and delivery for Northern Ireland.

Mr Elliott: Is the Minister satisfied that Tourism Ireland is providing value for money in its role in Northern Ireland compared to the work of the Northern Ireland Tourist Board?

Mr Dodds: I am very conscious of the need to ensure that Northern Ireland taxpayers get value for money, not only from Tourism Ireland, but from every organisation that is under the remit of my Department.

Under the structures that were set up when the Ulster Unionist Party was negotiating those matters, Tourism Ireland is responsible for the marketing of the island of Ireland for tourism purposes outside Northern Ireland and the Irish Republic. I am determined that the substantial amount of money that is put into tourism each year will show a return, that the number of out-of-state visitors coming to the Province will increase and that the Northern Ireland tourism product, for which DETI has responsibility, will be enhanced. Considerable investment is going into tourism, because we all recognise that the tourism industry has enormous potential for the economy of Northern Ireland. There is an opportunity to grow the figures for out-of-state visitors, and that is an area where we can really make tremendous strides. Therefore we must ensure that there is value for money from the investment that we have put in.

Mr P Ramsey: I welcome the Minister's comments on increased tourism in Ireland. In view of the increased use of international websites to book accommodation, has there been any discussion between the tourist boards North and South about the creation of an all-Ireland booking system to enable easier access?

Mr Dodds: I will look into that, although the issue of an all-Ireland booking system has not been raised with me by anybody in the tourist industry as a priority.

Paramilitary Groups

4. **Mr McCarthy** asked the Minister of Enterprise, Trade and Investment to give his assessment of the

impact on small enterprises of the activities of paramilitary groups. (AQO 448/08)

Mr Dodds: There has been no formal assessment of the impact of paramilitary activity on small enterprises. Small businesses play a critical role in providing employment and contributing to the growth of the local economy. Attacks on small businesses, whether through threats, extortion or physical damage to premises or the workforce, are hugely detrimental and are to be condemned thoroughly. A number of Organised Crime Task Force events were held for the business community during 2006-07 to raise awareness of the help and support that is available for victims of extortion and to encourage victims to report those crimes to the police. The PSNI, supported by the task force, has also launched an extortion helpline that provides access to professional advice and guidance from specially trained PSNI officers who are experts in that field. I encourage anyone in business who has been a victim of extortion to contact the police extortion helpline.

Mr McCarthy: I thank the Minister for that answer. However, given his totally and utterly disgraceful remarks on local radio recently, suggesting that loyalist paramilitaries should be allowed to take their time giving up their weaponry, how can the small-business community have any confidence in the Minister's determination to combat the loyalist gangsterism that costs our genuine business community very dearly?

Mr Dodds: I wait in vain for the honourable Member to get his facts accurate. What he has just described is totally inaccurate. In pointing out the facts, the honourable gentleman leaves a lot to be desired. Of course it is in all of our interests to ensure that businesses are freed from threats of extortion — from wherever they come. My Department and I utterly repudiate and condemn all threats from paramilitarism; we condemn all extortion, threats and all violence and intimidation of businesses or anybody else. I wish that the honourable gentleman had been as strong in his condemnation of the violence of others when the Members on this side of the House were pushing for such matters when we were in positions — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr O'Loan: The Minister will be aware that there has been an endemic problem of extortion against building contractors by loyalist paramilitaries, particularly in certain geographical areas. What specific discussions has the Minister had with the PSNI in relation to that matter, what is his assessment of that situation, and will he give an assurance that that problem is being eradicated rapidly?

Mr Dodds: The honourable gentleman draws attention to a very important issue, and it does raise its head from time to time in the work of my Department. He

can be assured that, as far as I am concerned, the matter is being taken seriously, and I will continue to monitor the situation closely. However, it is essentially a matter for the police and the criminal justice agencies. I assure the Member that in my discussions with the police and those agencies I will apply whatever pressure is necessary to ensure that the matter is properly highlighted and emphasised. It is totally unacceptable that any business — whether in the construction industry, or anywhere else — should be under threat of extortion or anything like it.

Mr Simpson: Is the Minister satisfied that there is a role for the Serious Organised Crime Agency in providing small businesses in Northern Ireland with the protection that they need and deserve against paramilitary organisations?

Mr Dodds: The Member raises an important issue. As I said, the Organised Crime Task Force has organised and held several events. It was set up in 2000, and it includes among its membership a multi-agency approach. It has a stakeholder group chaired by the Minister of State Paul Goggins, and it is made up of representatives of the Serious Organised Crime Agency, the police, customs, the Assets Recovery Agency, the Home Office, etc. It is important that all the agencies here are around the table doing what they can to bring their collective expertise to bear on what is a very difficult problem to eradicate, but one that we must continue to put pressure on.

Salt Caves: Licences

5. **Mr Ross** asked the Minister of Enterprise, Trade and Investment to detail what licences have been granted for the exploration of salt caves underneath the Larne area; and what is the purpose of these licences. (AQO 431/08)

Mr Dodds: No mineral prospecting licences have been granted by the Department for the exploration of salt beds underneath the Larne area. A licence for mineral prospecting in the Larne area has been offered to an applicant, subject to the outcome of the statutory and public consultation process. Two mineral prospecting licence applications for areas of Island Magee have been approved by the Department and will issue shortly. I understand that a company is negotiating with the Crown Estate to obtain a lease to explore the area beneath a part of Larne Lough. Offshore licensing falls outside the responsibility of the Department of Enterprise, Trade and Investment.

The purpose of the licences is to explore, by means of geophysics and drilling, the thick salt beds known to exist at depth beneath the south-east Antrim area, and to assess their suitability for the engineering of caverns for natural gas storage.

Mr Ross: I thank the Minister for his answer. Given that there is considerable concern among local residents about the prospect of storing natural gas underneath areas of south-east Antrim, will the Minister give me, and the people that I represent, an assurance that they will be consulted fully throughout the entire project and, furthermore, that the local community will not experience disruption during the initial exploratory drilling stages?

Mr Dodds: First and foremost, I must emphasise that a prospecting licence only authorises exploration. The granting of mining leases for extraction does not automatically flow from the granting of a prospecting licence. That is a separate matter that must undergo the normal planning processes.

The Member mentioned safety concerns, which I understand; however, worldwide, there are more than 650 underground gas storage facilities, of which 50 are in soft caverns. It is well-known and well-proven technology that has been extensively used throughout the world.

Of course, there must be full and proper consultation, not least because that is set out and required as a mandatory obligation by legislative provisions. If the process were to reach the stage of an application for a mining licence, it would be necessary to follow planning procedures and for DETI to grant other statutory approvals.

Small and Medium-Sized Business Sector

6. **Mr Campbell** asked the Minister of Enterprise, Trade and Investment to provide an assessment of the state of the small and medium-sized business sector across Northern Ireland; and to outline the problems currently being faced in that sector. (AQO 400/08)

Mr Dodds: The small and medium-sized business sector is growing and makes an increasing contribution to the Northern Ireland economy. There are more than 58,000 VAT-registered enterprises in Northern Ireland, 99% of which employ fewer than 250 people. We are working to increase the number of small businesses in Northern Ireland and, in the past five years, Invest NI has provided assistance to help to create, on average, eight new businesses every day. Small and medium-sized enterprises in the Province employ 350,000 people — approximately two thirds of all private-sector jobs.

Mr Campbell: The Minister has alluded to the success of the small and medium-sized sector in Northern Ireland. Will he ensure that Invest NI continues to work to improve the skills base that that sector offers and will he ensure that that sector continues to offer much-needed employment across Northern

Ireland and, in particular, for the north coast and East Londonderry areas?

Mr Dodds: The honourable Member mentioned the skills base, and it is important that my Department works with the Department for Employment and Learning on that matter, because an increased skills base is a key driver of productivity and entrepreneurship in Northern Ireland.

The Member can be assured that the Department and Invest NI will not neglect the north coast and East Londonderry. For example, between 2002-03 and 2006-07, there were 865 new business start-ups in East Londonderry, which compares favourably with other areas. I can assure the Member that the Department wants to build on that success in the future.

Mr A Maginness: The Minister spoke of the need to provide the appropriate skills for small and medium-sized businesses. Another problem facing that sector, particularly for new start-up businesses, is a delay in VAT registration. That creates serious problems for start-up companies because of their need to claim back VAT on money that they have spent on machinery and plants. Will the Minister use his good offices to raise that problem with the Revenue and Customs?

Mr Dodds: That matter has been pointed out to me before. That is of concern to the Department, and the Member can rest assured that we will pursue that matter with the relevant authorities. As the Member knows, VAT is not the responsibility of my Department or of the Assembly. Some Members may be thankful for that — others less so. The Alliance Party is keen for the Assembly to assume tax-raising powers, and its members may wish to elaborate on that policy in due course.

We will follow up the matter about which the Member asked with the relevant authorities in HM Revenue and Customs.

4.00 pm

Mr McFarland: What plans does the Minister have to encourage clustering of small and medium-sized enterprises in order that their knowledge can be shared and their export potential increased?

Mr Dodds: Clustering does not apply just to small- and medium-sized enterprises; it applies right across the board. It is a well-known fact that it is much easier to attract foreign direct investment where there is a cluster of knowledge-based industries or businesses that deal with life sciences, for example. The same logic can apply to small and medium-sized enterprises, and Invest Northern Ireland looks closely at that.

However, at the end of the day, we in Northern Ireland must focus on those areas of which we can take best economic advantage, such as life-sciences industries, business services, ICT, and financial services. Those are the key cluster areas on which we must focus as we progress.

Enterprise and Investment Zone, Newtownabbey

7. **Mr K Robinson** asked the Minister of Enterprise, Trade and Investment what contact he has had with the Minister of Finance and Personnel in relation to the establishment of a major enterprise and investment zone in Newtownabbey, based on the expertise of the University of Ulster and on tax incentives for inward investors. (AQO 424/08)

Mr Dodds: Across the United Kingdom, enterprise zones are no longer seen as an effective way to target resources, given that they can distort economic activity over wide areas through displacement effects. Tax incentives are reserved matters, for determination by the UK Government.

Mr Deputy Speaker: Unfortunately, the Minister's time is up. That concludes Question Time.

PRIVATE MEMBERS' BUSINESS

Executive Legislative Programme

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

Mr Kennedy: I beg to move

That this Assembly calls on the Executive Committee to produce, before the Hallowe'en recess, an Executive legislative programme detailing executive business for the current Assembly session.

Mr Deputy Speaker, on behalf of the whole House, I congratulate you on your shrinking personage. I understand that you are working hard on a diet, and you seem to be making progress. Congratulations, and keep up the good work.

It is 166 days since the Executive assumed office. How time flies. That is almost 24 weeks — or nearly half a year — and it is well beyond the 100-day honeymoon period that most Administrations can expect to enjoy on entering office. In that time, the Assembly has debated some 69 private Members' motions — by my figures, this is number 70. I emphasise the word "motions".

Such motions must not be confused in the public mind with private Member's Bills, which are public Bills that go through several Stages, including a Committee Stage. Those are substantial undertakings. Private Members' motions, on the other hand, have no practical effects. They are not binding on Ministers, and they are, basically, nothing more than a way for Members to highlight issues of concern. They may be worthy and well intentioned, but they go absolutely nowhere where action is concerned.

I contend that the sheer volume of private Members' motions is undermining the reputation of this Assembly. It is causing journalists to comment that this is not a legislative Assembly and is nothing more than a debating Chamber. Indeed, some less-generous types have called it a "school debating society".

As an MLA, the deputy leader of one of the Executive parties and the Chairman of a Committee, I am deeply concerned about the Assembly's reputation and standing. The current dispensation was too long in the making, and the efforts made to establish it too great, for the Assembly's reputation to be damaged in the way in which it is being damaged by the recurrent failure of the Executive to engage in public business.

Since the Assembly started business on 8 May 2007, the House has debated 69 private Members' motions; a further eight Adjournment debates, which, again, were initiated by private Members; 17 items of Committee

business; and 21 items of Assembly business. All those items of business — all 115 of them — could be said to have been initiated outside of the Executive Committee, by the ordinary Members of the House.

During the same period, Ministers and the Executive have initiated 36 items of business. Business initiated by private Members since May therefore outnumbers ministerial or Executive business by a ratio of more than three to one. That means that more than three quarters of Assembly business has been initiated by private Members, and only one quarter by Ministers and the Executive.

Even those figures mask an even greater disparity in performance. Many of those private Members' motions were debated for at least one and a half hours, whereas most ministerial and Executive business is comparatively short in duration. Therefore, the time that is used for the Assembly's business is overwhelmingly dominated by private Members' motions, which are going nowhere. That situation simply cannot be allowed to continue.

It would be more normal for Executive business to take up 70% and private Members' business 30% of the Assembly's time — not the other way around. In the first mandate, that was the case.

This is a legislative Assembly, but where is the legislation? The Assembly is designed to be a vehicle for implementing Executive-led government. However, because the Executive have failed to lead, the Assembly has had to busy itself with private Members' motions.

I say all that more in a sense of sorrow than of anger. My party has two Ministers in the Executive, and they sit beside five DUP Ministers, four Sinn Féin Ministers and one SDLP Minister. The Ulster Unionist Party may have Ministers, but the strategic leadership of the Executive lies with the two major parties — the DUP and Sinn Féin. That strategic leadership is now seen to be lacking.

The Ulster Unionist Party did not comment on that growing problem in the two months before the summer recess, because we accepted that business was just beginning. However, it must be said that the Civil Service and the leading parties knew, as far back as March 2007, that the Executive would become operational.

September has now passed and October is half gone — it is almost like a poem — yet there is still little by way of concrete business. In fact, the situation appears to be getting worse rather than better. During the entire month of June 2007, two whole days of business were dominated by Ministers and the Executive. Since returning from the summer recess last month, the Assembly has discussed 28 private Members' motions, with long hours of debate. However, there have been only 11 items of ministerial or Executive business, many of which have been brief.

That has been going on for far too long. As a Committee Chairman, I believe that we cannot allow the situation to continue indefinitely without taking action. The matter has been raised in the Committee for the Office of the First Minister and deputy First Minister, which I chair, but it has now been going on for so long that it had to be brought to the House and into the public domain. That is why we tabled this motion, which asks the Executive to produce a legislative timetable that details Executive business that is to come before the Assembly before Christmas.

I am deeply concerned, for example, that no Executive action has been taken — within the bounds of power that the Assembly already possesses, such as power over rates — to help business. Instead, the Minister of Finance and Personnel appears to be like a rabbit caught in the headlights, waiting for Westminster to agree to reduce corporation tax. That reduction may never come. Sir David Varney's review of corporation tax is due to be published soon, so we will then know the truth. I suspect that it will be an unpalatable truth.

Even if a deal on corporation tax were to be agreed, it may materialise only through some device whereby businesses in Northern Ireland could pay tax in the Republic — and what will the DUP say about that?

Why are the Executive waiting? Why do they not do something for business now, through areas such as the rates where the Assembly already has had power devolved? Waiting until all is agreed before anything is agreed — a concept that seems to underpin the premise that before the Programme for Government is agreed there must be agreement on the Budget — is a recipe for political paralysis. I suspect that negotiating habits learned by the DUP and Sinn Féin during the constitutional negotiations, when that was their mantra, mean that neither party can proceed in any other way. They are caught like dinosaurs in rock sediment.

I have something to tell those parties on behalf of the Northern Ireland people and the taxpayers — that approach is just not getting the job done. The DUP and Sinn Féin are not cutting the mustard when it comes to executive action, legislation or — for want of a better term — government. It is difficult to identify the cause of that inaction: perhaps it is the difficulty of having two inexperienced and opposing parties forming the majority of Ministers in the Government, or the more serious political problem of dissension within the enforced coalition; or perhaps the whole government machine is rusty after so many years of unaccountable direct rule. It may even be a blend of all three factors. Whatever the cause, we have to ask whether, after 166 days, the two lead parties of the moment can deliver. The signs are that they cannot. Let us hope that that changes.

In another sense, there is action that we in the Assembly can take outside this ministerial inaction: we

could begin the process of revising current legislation in the Committees of the Assembly. That would have a positive impact on people's lives. It would begin to change things for the better. However, it would be preferable for the Executive to do what I am asking them to do in the motion, and issue a timetable for Executive-led business in the coming months so that we could all see an end to the drift.

The Assembly is meant to work, legislate and administer. It is not meant to sit like a Third World dictator's Rolls Royce without petrol. So I say to the Executive: get a move on. Fill the Assembly automobile with the petrol of legislation and Executive action.

Mr Deputy Speaker: We could always write a poem.

Mr S Wilson: I must say that, having listened to the Member, I expected that we might have been given some ideas for legislation. I did not hear one concrete — or sediment of rock — example from Mr Kennedy about what kind of legislation is needed. However, I congratulate him on his courage in tabling the motion for two reasons. First, it is clear that he has no political ambition, because he has offended his party leader and Mr McGimpsey the Member for South Belfast both of whom are Ministers. Neither of them has brought forward any legislation.

Mr Kennedy: The Member should do his homework properly, which he ought to be able to do, having been a teacher in a previous life. Will he confirm that Mr McGimpsey has already introduced the Health (Miscellaneous Provisions) Bill, which is currently with the Committee for Health, Social Services and Public Safety for consideration? Mr McGimpsey is also the Minister who attends the House most frequently. He has responded to 15 motions introduced under private Members' business and to one in an Adjournment debate, and he has provided answers to over 400 oral and written questions. So I have not fallen out with Michael McGimpsey.

Mr Deputy Speaker: I am awarding the Member one extra minute for the intervention.

Mr S Wilson: I should get two minutes for that.

I have not failed to do my homework. I deliberately did not mention the Health (Miscellaneous Provisions) Bill because I was hoping that the Member would mention it himself. That is the other reason why I think the Member is being courageous. There have been five pieces of legislation so far, and Mr Kennedy — the Member who is so keen to get legislation into this House and who is so keen to be involved in legislation — did not speak on any of them. He had 12 occasions on which to speak on legislation.

I should say that he did speak once — he spoke during the debate on the Budget Bill, when he hoped that he would not be put outside to get wet when the

fire alarm went off and the rain was coming through the roof.

4.15 pm

I have three points to make: the first one is that lots of legislation's being passed by the Assembly would not necessarily mean good Government. Many people would say that the less Government interference there is in their lives, the better. Many businessmen have made the point that, rather than more legislation, they would love to see some of the current legislation repealed. The absence of legislation does not mean bad government, although there are pieces of legislation that should be brought to the Assembly quickly.

Secondly, quick legislation is never good legislation. If the Member had done more research on the legislative process and the drafting of legislation, he would know that a piece of legislation is not ready to print the day after a decision has been made. The legislative process and the drafting of legislation require time and skill, and there are a limited number of people who can do it. Very often, quick legislation turns out to be bad legislation. So far, many of the Bills that have gone through the Assembly have been Bills that were drafted under the direct rule Administration, perhaps a year ago, and it has taken that long to put them on the statute book. That is not unique to this Assembly; it is common to other Assemblies and Parliaments, such as Westminster.

Thirdly, there is a need for legislation. In particular, there is one piece of legislation that should be included in the Programme for Government when it comes, and that is legislation to deal with the transfer procedure from primary school to post-primary school. That is one case where the Minister should show urgency.

Finally, the Member said that the Budget is being used as an excuse to delay the Programme for Government. In his naivety, he may have ignored the fact that legislation usually requires resources. The worst kind of legislation is not only drafted quickly but does not have the necessary backup to enforce it. That causes people to become cynical about the process of government. Without a proper Budget and knowing what spending we have in place, it is impossible to know what kind of legislative programme we can afford and what resources we have to back it up. Therefore, while I support the idea that we must have a Programme for Government in place as quickly as possible, the opportunism of the Member for Newry and Armagh — who has not shown much interest in legislation in this House — does not become him, nor does it become this House.

Mr Molloy: A LeasCheann Comhairle, go raibh maith agat. I attended this debate to examine whether serious arguments would be put forward for debate, or whether it was an opportunity for Mr Kennedy to bash

the DUP. He has done neither. I know that Mr Kennedy sees himself as a bit of a comedian, but in this proposal he says that we do not need to worry about the Budget or what the legislation is, but that we simply need to make legislation. Therefore, he is proposing that we make legislation for the sake of it without any thinking behind it. He said that he wanted the Executive to produce the legislative programme before the Christmas recess, although the motion cites the Halloween recess; perhaps he can clarify which session of the Assembly he means.

It is important that the Assembly produces legislation that is proper and necessary. Undoubtedly, it must still review and amend certain legislation that was brought in under direct rule. Much of the legislation that was introduced under the old Executive must also be reviewed. In particular, the issues of water taxes and the rates review must be examined. All of those issues are important. Certain legislation was rushed through in the last Assembly. Often, Members were loaded with papers, legislation and documents in order to keep them busy while the Executive did not really do anything on that particular programme.

Sinn Féin will listen to the views that are expressed in the debate and to any alternative proposals that are made. It is important that every Member has the opportunity to suggest what legislation they believe is required. I hope that, by the end of the debate, the Assembly will have heard from Mr Kennedy's party about the issues for which it wants legislation and those on which it wants debate. It is good to hear Mr Kennedy say that the Assembly has been a talking shop. Sinn Féin has said that for the past two years. The Assembly was quite prepared to exist as a talking shop during the Hain Assembly so that it could, at least, discuss relevant issues over which it had no real power to instigate change.

Therefore, if the Assembly is to deal with legislation, my party hopes that it will be meaningful legislation which will benefit people's lives, and will not just simply rubber-stamp that which came from Westminster under the direct rule Administration. The stop-start nature of government by the previous Executive was unhelpful. Mr Kennedy says that the present Executive does not have enough experience. Certainly, the experience of the last Executive was not good. Therefore, a new situation can only be an improvement.

It is clear from Mr Kennedy's introductory comments that he does not consider the debate to be serious, but sees it as an opportunity to cause a reaction. If he were serious about bringing forward legislation, he could do so by way of a private Member's Bill or through Committee legislation, which could be brought to the Floor. I sit on the Committee for the Office of the First Minister and the deputy First Minister, which is chaired by Mr Kennedy. At present, that Committee's business

does not include any to propose or amend legislation; nor, indeed, have any particular ideas on how to do so been suggested.

Therefore, I welcome the Assembly's opportunity to support the Executive's in-year development and to bring forward legislation. All Members want that to happen. However, legislation need only be brought forward when changes are required, and not simply for the sake of doing so. It is up to the Assembly to take control of the situation and to pursue the issues that it wants to debate and be dealt with. During all of the negotiations that have taken place during the last couple of years, the onus was on Members having an input on what matters are legislated for by the Assembly. Instead of debating some less relevant issues, now is the time to bring forward motions that propose changes to legislation and new legislation that the Executive can take forward for the future. Go raibh maith agat, a LeasCheann Comhairle.

Mrs D Kelly: I am interested by Mr Molloy's comment and criticism of the stop-go nature of the previous Assembly, given that it was the IRA's failure to decommission that held its work to ransom.

The SDLP supports the motion. The debate is long overdue. If Mr Molloy wants to know what legislation Members want, I will tell him what basic, simple legislation is needed; a repeal of PPS 14 (Planning Policy Statement 14). In my constituency, neighbours are in dispute over hedges and trees. I want legislation on that. Consultation on the matter finished earlier in 2007. It appears that a straightforward piece of legislation is all that is required.

My party also wants the single equality Bill to be brought forward. Ministers who belong to certain parties had given clear commitments to bringing forward equality legislation. However, there is now a political dead hand on that matter. Furthermore, my party wants a better sustainable development framework. At last week's Committee, the Office of the First Minister and the deputy First Minister could not put forward any proposals on that issue and wants further time to deliberate.

The Committee is also interested to note that, thus far, the bids for efficiency proposals — and proposals for new moneys — have been overseen only by departmental officials and not by Ministers. That is, perhaps, because some issues may be too controversial, and Ministers do not want to be associated with them at present. An example of that is the £0.96 million that is to be deducted from the community relations budget.

We want progress on the Civic Forum, but we are now told that the terms of reference have not been agreed. We also want some economic development. We want to know what is happening with the Maze/Long Kesh site so that there can be proper regeneration,

jobs and houses, and the sporting fraternity can know where their home will be for their big games in the coming years. Are those matters being delayed because they are not important enough for the Executive to debate, or is it, as many observers believe, the fact that the two major parties cannot agree on much at present?

We have also seen delays in the appointment of a Commissioner for Victims and Survivors of the Troubles, and the manner in which the Committee was given that piece of news was quite deplorable — an announcement in the press that afternoon, 20 minutes after the Chairperson and Deputy Chairperson of the Committee were informed of the matter.

Some Members have already spoken about the legislative framework. Mr Molloy talked about debates and debates. Members do not want to be in the Chamber, debating and debating. We often hear Members referring to themselves as belonging to the two leading parties. Where are those parties leading us to? What impact have they made on social and economic matters? Yes, we have greater peace, but do we have better community relations? The events that occurred in some areas over the past two weekends show that we have not made much progress in that matter. We need to build on a shared future.

Mr S Wilson: Will the Member give way?

Mrs D Kelly: Of course I will give way.

Mr S Wilson: I am surprised that the one area that the Member has not mentioned is social and affordable housing, which is a big issue for people in Northern Ireland. It is also the remit of the Minister for Social Development, the Member's party colleague, who has been silent on proposals on that issue.

Mrs D Kelly: I refute that suggestion in its entirety. Perhaps the Minister of Finance and Personnel should make a decision on the Executive's Budget and on the Programme for Government. The Minister for Social Development has said, time and time again, that her Department should be given the money with which to build the houses. Have we heard anything about the Programme for Government in the House? No, we have not. Are we going to be treated to such a programme by the end of the year? Thus far, there has been nothing but delays and slowdown in any sort of legislative framework or decision-making.

Mr Lunn: It might have been expected that this motion would come from the Alliance Party, as the only party that is not involved in the so-called Government. Therefore, it is the only party that should not be embarrassed by the necessity for such a motion or have to defend its own party's Ministers. That irony has arisen from the fact that the motion has come from a party of Government, with two of the main culprits in its own ranks. That fact has not been missed by Members who spoke earlier in the debate. Therefore, I

will not dwell on the matter, nor will I dwell on the revelation on 'The Politics Show' on Sunday — courtesy of Mr O'Dowd — that it was not even the Ulster Unionists' first choice of motion at last week's Business Committee meeting. There we are. It is amazing what one hears on television. I wonder how many times, in Parliaments around the world, ordinary Members have had to remind Government Ministers of their primary function.

Effectively, a new Government was put in place five months ago. It was brought into office on a tide of goodwill and public expectation. It pledged to roll up its corporate sleeves and put right all the dreadful things that direct rule Ministers inflicted on us. We might have expected an avalanche of legislation, such were the pressing needs of the people. Instead, we have inertia, paralysis and an evident failure to agree about anything in the Executive, except to promote an image of peace and harmony to cover up the complacency that appears to have gripped them.

We wait for action on so many major issues, some of which have been highlighted today: help for businesses, rating, education, the transfer procedure, planning, and the farce surrounding the appointment of a Commissioner for Victims. At a time when classroom assistants have gone on strike, further education lecturers have become totally frustrated, and people wait for non-existent ambulances, we spend our time discussing ridiculous motions, such as last week's on the use of the Irish language in the House, which was inflicted on us by Mr Kennedy's party colleague. I hope that all Members noted the reaction to that debate out in the real world — it was one of total exasperation and is evidence of the widespread cynicism about our activities.

4.30 pm

Mr Kennedy: It would be very helpful if the Member could outline, in any part of his speech, what side he will eventually come down on. Is he in favour of the motion or against it? It is not clear at the moment.

Mr Lunn: Some declare their intentions at the start of their speeches, and others wait until the end, but I will do so in the middle of my speech — the Alliance Party supports the motion. There is a feeling that we are doing nothing useful in this Chamber and that we are filling our days with discussions on non-binding motions. Some of those motions are perfectly worthy and should be accommodated, when times allows. However, they should not be centre stage — that should be reserved for primary legislation, given that this is a legislative Assembly.

We in opposition are happy to support the motion that has been brought forward by a party of Government to criticise the Government. Once again, that highlights the dilemma that faces the Ulster Unionist

Party, and, perhaps, the SDLP, too — whether they are in or out of Government. We have no such problem on these Benches, and we will continue to press for the activity demanded by the motion.

In conclusion, I must say that I admire Mr Kennedy's optimism in setting a timescale of 11 days. Given the way in which things are going at the moment, Halloween 2008 would be a more realistic target, but we live in hope. The Alliance Party supports the motion.

Mr Spratt: I do not believe that there is a crisis of confidence in this Assembly due to a perceived lack of legislation. So far, five Executive Bills have passed through the House, which is comparable to the record of the previous Executive, which also averaged a Bill every two weeks. It should be noted that further pieces of legislation have been delayed for several weeks by some departmental Committees. If we are to progress legislation, we must ensure that Committees work with their Ministers when required so that such delays do not hinder the work of the Assembly.

When we compare the record of this Assembly with that of our friends in the Scottish Parliament, we see that no Bills were introduced by the Scottish Executive before the summer recess, and that one Bill has been introduced since September. That comparison shows this Assembly to have been quicker to bring forward Bills and does nothing to fuel the claims of some that the Assembly is not doing its job.

It is important to state that finalising the Budget and formulating a legislative programme cannot be done overnight. Those decisions are vital to the future success of the Assembly. As such, the necessary time and consideration must be given to them. We should not denounce OFMDFM or the Executive for taking that approach. I am confident that, when revealed, the legislative programme will show the benefits of devolved Government and how that can impact on the daily lives of our constituents.

It is sad that, since devolution has been restored, members of the Ulster Unionist Party have sought to undermine the Administration through cynicism. Now that we have our devolved Assembly, we must question just how serious the Ulster Unionist Party is about devolution. The motion calls for an Executive legislative programme. In my opinion, that is a fair request. However, I believe that, unfortunately, the Member who proposed the motion has done so for the wrong reasons. The Member for Newry and Armagh has made an accusation that this Chamber is nothing more than a glorified debating society. I believe that those were the words of Mr Kennedy.

Mr Kennedy: Yes, they were.

Mr Spratt: Mr Kennedy said that someone else used those words, but I think that he used them over the weekend. However, some debates, such as the one

on attacks on Orange Halls, should not be discredited by such a slur.

Mr Kennedy: I understand the important point that the Member is making. I tried to stress that most of the motions that were debated were on important subjects. Unfortunately, as we have seen this weekend, attacks on Orange Halls have not stopped, despite the fact that there was a useful debate on the subject in the Assembly. That remains a matter of ongoing concern.

Mr Spratt: I agree; it is disgraceful that those attacks have continued. I hope that Members opposite, and on all sides of the House, will make sure that something is done to end those attacks as soon as possible.

The Ulster Unionist Party is in no position to lay such a claim or to stand aloof from such an accusation. After all, it submitted the same motion for debate twice in four months. Is Mr Kennedy criticising the members of the UUP who sit on the Executive — the Minister of Health, Social Services and Public Safety and the Minister for Employment and Learning — for the lack of legislation coming from their Departments?

I have every confidence that OFMDFM and the Executive will bring forward a programme when the time is right and that it will be for the good of all the people of Northern Ireland.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. Mr Kennedy began the debate by bombarding us with figures and statistics, which is always a useful tactic when there is no substance to the argument, and to fill up the allotted 10 minutes. It all added up to nothing, but the most important figure among those that Mr Kennedy threw at us was two — the two Ulster Unionist Ministers sitting in the Executive. If we add on Mr Kennedy's ally, there are three Ministers sitting on the Executive, all of whom can introduce legislation if they so wish. I have not heard any of the many political correspondents who hover around this place state that there has been any demand by, or any record of, those Ministers lambasting other members of the Executive for not bringing forward legislation.

Mr McNarry: They are not being given a lead from the dominant parties.

Mr O'Dowd: I have no problem in giving you the lead. If you wish to learn and follow — *[Interruption.]*

Mr Deputy Speaker: Order. All Members must make their remarks through the Chair.

Mr O'Dowd: A LeasCheann Comhairle —

Mr S Wilson: Will the Member give way?

Mr O'Dowd: For you, Sammy, certainly.

Mr S Wilson: Does the Member not find it incredible that the Ulster Unionist Party and the SDLP require the DUP and Sinn Féin to hold the hands of

their Ministers to guide them through the legislative process? Does that not say a lot about the quality of their Ministers?

Mr O'Dowd: It is a long time since anybody held my hand.

The Ulster Unionist Party has indulged itself in criticising the amount of private Members' business that has been transacted. Perhaps we could have introduced legislation last week instead of having the anti-Irish language debate, or, the week before, instead of discussing the state of Peter Robinson's back garden. I do not know whether the motion on fuel poverty, which the Ulster Unionists moved twice, was the result of a clerical error or a genuine attempt to address the issue.

That brings me to Councillor Kelly of the SDLP. What legislation has the Minister for Social Development brought before the House to tackle fuel poverty? None whatsoever. It is all part of the handbag fight at dawn between the UUP and the DUP. That is all that it is, and since none of the Ulster Unionists are of the female persuasion, I will leave it up to Members' imaginations as to who it put forward as combatants.

Listening to the Ulster Unionist Party recently, however, it seems that there is no point in introducing legislation. There will be no money to finance legislation because the Ulster Unionist Party is telling the manufacturing industry that there is no need to pay rates; it is telling society that water and sewerage services do not need finance; and it is telling the public sector that there is a pot of gold at the end of the rainbow.

Mrs D Kelly: Will the Member give way?

Mr O'Dowd: I am flowing, Dolores; I will give way in a minute.

Even if we were to introduce all this legislation, the Ulster Unionist wish list would be impossible to finance.

Mrs D Kelly: The Member's last few comments sound remarkably like the Sinn Féin party manifesto. Is the Member saying that Sinn Féin is going to renege on its manifesto promises on water charges and manufacturing tax?

Mr O'Dowd: I hate to break the news to the Member, but the SDLP has broadly welcomed the water report. *[Interruption.]*

I will not accept any more requests to give way.

If the Ulster Unionist Party wants legislation, I can lead the way for it and suggest a few areas where it can introduce legislation. Bring forward legislation based on the 11 individual reports that formed the Bamford Report. Bring forward legislation on the RPA and the Health Service. Bring forward legislation that ensures that staff have proper representation on trust boards. I

am sure that every Member of the House would be more than happy to debate those three areas.

Discussions to agree a Budget and a Programme for Government will take place in the House in the near future. Until then, it is a waste of time to say that a programme of legislation must be agreed before the recess — and Mr Kennedy has yet to decide whether that should be the Halloween recess or the Christmas recess.

I return to my old sparring partner, Dolores Kelly. If the SDLP wants us to lead the way for it, DSD could bring forward legislation on social housing, registration of landlords, support for the community and voluntary sector, and repeal of the repressive measures in the Welfare Reform Bill. Perhaps Margaret Ritchie could say what she is going to do about so-called UDA funding. She put the cart before the horse and did not check the legal advice before she made statements.

Sinn Féin's view is that the process must be followed through its logical steps. If the Executive are to produce a programme of legislative measures, they must follow steps. In the meantime, any party from the Executive can publish whatever legislation it chooses, and I look forward to seeing it. Go raibh maith agat, a LeasCheann Comhairle.

Mr Shannon: Thers nae doot whut-sae-iver that in oarder fer Norlin Airlan tae gaun fort we hae tae mak laws. Hoo-iver thees laws shud nae be pit throo in aa' hurry. Fer we fin whun laws er hurried throo, it is tha ivery dae fould whau pay. Tak tae oany first-yeer law student whut they din in ther first yeer o' trainin, en ther anser wull be: tae fin oot tha loop hols in tha law in oarder tae bend tha rools an defen tha in-defensible. Twau much law is hurried throo an in daein this, we gie lawyers — o' whau ther is a wheen in this getherin — a tiem tae twust an ben in oarder tae alloo rang tae be seen as richt. Thon lawyers canny dae ocht but agree.

There is no doubt that in order for Northern Ireland to progress and move forward, we must legislate.

[Interruption.]

If Members listen, I will now translate the Ulster-Scots part of my speech.

However, legislation cannot and should not be rushed through, as whenever things are rushed through the legislature, it is the everyday people who pay. If any first-year law student is asked to explain what they are trained to do in their first semester, the reply will be that they are trained to find loopholes in legislation in order to bend the rules and defend the indefensible. Too much legislation is rushed through, giving the lawyers — of whom there are several in this Chamber, although they may not be present at this moment — the opportunity to twist and bend and allow the illegal to be seen as legal. The lawyers cannot do anything but agree.

Although the Member has proposed the motion for the right reasons, he has not considered the whole picture. With great respect to Mr Kennedy, those points must be enlarged. The people, whom we seek to aid and protect through legislation, end up being dragged through a legal quagmire, which could have been easily avoided through legislation that is properly worded, instead of a rush job in an attempt to show progress.

Since devolution was restored, five, or perhaps six, pieces of legislation have been introduced and more are on the tables of each Department. Those Departments are represented by all four of the parties that comprise the Executive, not only the two biggest parties. However, it is my firmly held belief that the strict timetable for legislation leaves it wide open for mistakes. That belief is backed up by people with legal knowledge. A well-known saying is that if something is worth doing, it is worth doing right. Let us get legislation right when we bring it to the Chamber.

Undoubtedly, there is a frustration that more must be done. However, rushing it through would only create further problems. Dolores Kelly talked about the changes that Members wanted to see. All the parties are agreed about changes to PPS 14, but let us get the legislation right. The lone ranger, to my rear, may have a different opinion on that.

The Assembly must consider housing issues, and the Minister for Social Development can introduce changes, such as freeing up land, to help with the provision of social housing.

4.45 pm

It is easy to bring legislative issues to the Chamber. There have been proposals to leave aside money from the health budget for drugs to treat Alzheimer's disease, cancer and arthritis. Reg Empey can introduce legislation on apprenticeships. All parties can have their say in the Chamber on issues such as industrial rating and EU directives on sewage. Departments, including the Department of Education and the Department for Regional Development, must introduce legislative changes.

Mrs D Kelly: Given the Member's commitment to bringing legislation before the House, does he not think that it was disgraceful that, during the summer recess, the DUP and Sinn Féin snuck off to the Secretary of State to seek a change in the legislation and an increased budget of £100,000 for special advisers to junior Ministers?

Mr Shannon: I do not agree with the Member, but Dolores probably expected me to say that.

The important consideration is that junior Ministers have a job to do. Mrs Kelly wants child poverty and other issues concerning children to be addressed. That is a job for the junior Ministers, and that is why the

Assembly needs them. Therefore, the Member's question was most unfair. Several potential subjects for the new legislative programme have been mentioned: high-hedges legislation, car-parking legislation for private residents and a ban on the sale of cigarettes to those under 18 years of age. All parties want legislation on those, and probably many more issues, to be introduced.

Ministers and their officials are not sitting on their hands, but are working to introduce relevant legislation that will stand the test of time, rather than having to be repeatedly amended to cope with the machinations of the legal profession. Some Ministers — and Members know who they are — could, perhaps, have moved more quickly. UUP Members on my right have been shouting, but perhaps they should introduce legislation. The Assembly must put legislation on the table and get it right, first time. Case lawyers must not be allowed to shape the legislation: that is the right of the elected representatives in the Assembly.

Mr K Robinson: Even if there is no result today, it is a long time since there has been such an animated and good-humoured debate across the Chamber. The list of potential legislation that Members have suggested will keep the Assembly busy for the next 20 years.

Mr S Wilson: That means that there will be overtime.

Mr K Robinson: As Sammy says, we will be asking for overtime.

Mr Kennedy introduced today's motion because this is a serious matter, and he wanted to focus the attention of the House on what the UUP considers to be a problem. Several Members, including one or two on the far side of the Chamber, have touched on the relevant issues. I want the House to treat the motion as a serious attempt to focus attention on an existing problem. Despite what was said earlier, the public perception is that the Assembly is becoming a debating society. The Assembly has been up and running for some time, but has yet to deliver what the public perceive as a punch — although some Members may disagree.

High-hedges legislation has been mentioned several times. I asked questions on that matter during the Assembly's first mandate, and the UUP tried to progress the issue during the second mandate. I have approached two direct rule Ministers and the current Minister of the Environment to try to get such legislation passed. That legislation would be fairly simple and non-contentious, and much of the homework has already been done.

However, today's debate has been occasioned by the persistence of private Members' motions on the business agenda of the House. During the Assembly's first mandate, there was 70% of Executive business and only 30% of private Members' and Committee

business. In fact, the Business Committee lamented the fact that there had been so little private Members' business. Plans were afoot to increase that by encouraging MLAs to produce private Member's Bills and encouraging Committees to initiate legislation.

The situation in the current mandate is different, partly because the Assembly's second mandate lasted for four years. I will not say on which part of their body Members sat, but they did nothing. As a Member at that time, I felt frustrated, as I am sure did others. The problem is that that Assembly became a talking shop, and some of the bad habits from those days persist into the current mandate.

Two elements are at work here. The first concerns the sheer amount of talking that is taking place. Even some of the questions to Ministers are major speeches in their own right. It is sometimes open to doubt as to whether they contain questions at all. You and your colleagues have addressed that matter several times, Mr Deputy Speaker. The second element concerns the Executive's failure to lead the Assembly strategically. The fault for that lies squarely with the two largest parties, in spite of what they have said today, because they dominate the Executive. It lies specifically with the First Minister and the deputy First Minister, and with their junior Ministers —

Lord Morrow: Will the Member give way?

Mr K Robinson: Yes, I will.

Lord Morrow: I have listened to the debate, and there has been much criticism of the Executive. I will not comment on whether that criticism is justified, but I remind Members that probably everyone sitting in the House today is a member of a Committee. I have not seen any business coming from Committees, and I am not aware of anyone who is restricting those Committees from bringing business to the House.

Mr K Robinson: I thank the Member for his intervention. It is a valid point that Committees also have a role to play. However, at the top of the tree is the Office of the First Minister and deputy First Minister. As lowly Back-Benchers, we feel that it is the responsibility of the First Minister and the deputy First Minister to introduce policy and to try to co-ordinate it. That is what is lacking, and that is the major problem.

The idea seems to have grown up in the Executive Committee that until the Budget has been finalised, we cannot have a Programme for Government. Why is that? Government financing is a continuous process — it is like a conveyor belt. There is always a certain amount of money that we know that we will have, and there is a certain amount of money that we may have. We also have a borrowing facility, but I urge that we use that wisely, if at all. Therefore, there is no reason why more of the business of Government cannot begin immediately, before the Budget is finalised. It is ludicrous

to suggest that we wait — I hope that Sammy is listening to this one — like the South Pacific islanders who believe in the cargo cult, with money dropping from heaven, directed by the current object of their worship, Gordon Brown. Sammy can research that for his homework tonight. A good enough reason does not exist for the Assembly not to address the real issues now. It must start to make decisions, using the devolved powers that we possess at this time. Business cannot wait for the corporation tax debate to be finalised.

Mr McNarry: Will the Member tell me, in his eloquent way, what would happen were private Members' business to stop? How would we fill our time on Mondays and Tuesdays?

Mr K Robinson: I am glad to know that I am in good standing with the party Whip. That is praise indeed. Thank you very much.

I honestly do not know how we could fill our time. I watch the monitor when I am in my office doing real business and I come out of Committees drained, after three hours or more of trying to cover Committee business. However, when I have come to the Chamber, I have found the repetitive nature of all the debates up to now to be boring. I am sure that people who study events in the Chamber sometimes wonder why we are here at all.

Government must go on, and it must be seen to be going on. There is no reason why elements in the Programme for Government cannot be prioritised and set against their own budget. There is no reason why it should not begin here as quickly as possible.

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

Mr K Robinson: Do I not have a couple of extra minutes, Mr Deputy Speaker? I have been up and down like a yo-yo.

Mr Deputy Speaker: I have been generous and added one minute.

Mr K Robinson: Your generosity has run out. Thank you, Mr Deputy Speaker.

Mr Attwood: I have two points to make, the first of which concerns the approach that the DUP and Sinn Féin have taken to the debate. If Members cast their minds back six months, everyone in Northern Ireland was told that the Executive could not be formed until May, because it was necessary to have six weeks in order to hit the ground running. The Executive were not formed at the end of March, or in April, so that the parties could hit the ground running in May. Since then, some parties in Government have failed to do that.

Secondly, I wish to refer to the comments that were made about the Minister for Social Development. People tend to forget that it was the Minister for Social

Development who introduced the first piece of legislation in the House — the Welfare Reform Bill.

The Minister for Social Development has been trying to introduce further legislation, including, for example, Bills on charities, child maintenance, and pensions. Those were signed off by the Minister long ago. Why have they not been introduced? They have been held back by the Office of First Minister and deputy First Minister. It is true that, in recent times, the Department has released two of those pieces of legislation. However, legislation that should and could have been introduced, and that the Department for Social Development wanted to have been introduced, has been held up at the centre of Government. I invite the junior Minister to comment on that.

Deeper patterns of concern are beginning to emerge in the Chamber, and Members need to be aware of those. When the DUP and Sinn Féin were negotiating the St Andrews Agreement, they stated, as articles of faith, that there would be increased accountability to the Assembly on North/South bodies. Where Ministers' functions were concerned, another St Andrews article of faith was that three Ministers would be able to bring one Minister to account on any matter, thereby increasing Executive accountability. Although I am mindful of and respect the ruling of the Speaker on statements about this matter, what did we discover a week ago when the decision to re-advertise the position of victims' commissioner was announced? We discovered that there was no accountability to the Chamber either on the decision not to appoint that commissioner or on the decision to re-advertise the position, a process on which work will be carried out over the next four months. On the one hand, therefore, the DUP and Sinn Féin agreed at St Andrews that the North/South bodies would be more accountable, as would individual Ministers. However, they did not accept that those who made decisions on high-profile, sensitive matters such as the appointment of a victims' commissioner should be accountable to the Chamber.

Mr S Wilson: Will the Member give way?

Mr Attwood: I will give way in a second.

Members must be aware that a concerning pattern of treating the Chamber in that way is beginning to emerge.

Mr S Wilson: The Member has made an important point. However, will he state whether the SDLP Minister sought the support of two other Ministers to have the appointment of the victims' commissioner referred back to the Executive?

Mr Attwood: I am sure that the Minister, who is not in the Chamber, will take that on board. *[Laughter.]* I am sorry; she is here, I was, literally, unsighted.

There has not been an Executive meeting since the announcement about the appointment of a victims'

commissioner. The Executive met on the Monday evening, after the announcement was made and before the agenda could be determined.

Members should be concerned about the wider patterns that are emerging. Government business that will be held up includes the Irish language Act, the 11-plus, and the RPA. Looking six months ahead, it is likely that further legislation that will be held up will include that on the Parades Commission review, the bill of rights and the devolution of justice and policing.

Therefore, the SDLP is putting down the marker that, not only has there been no business of any great substance in the Chamber, but major pieces of Government business are already being held up, and more will be held up in the next six months. Gridlock is emerging, particularly between the two major parties.

The reason that Members should support the motion can be summed up by what someone said to me in my Falls Road office last week. He said that six months after this Government was formed there has been little Government, no Government and bad Government. There has been bad Government on the classroom assistants' pay dispute, no Government on legislation, and little Government on everything else.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Paisley Jnr): My briefing note tells me that I should thank those who proposed the motion. I thank them sincerely. If the motion represents a kicking for OFMDFM, I would mark their homework "could do better". I am impressed by, and Mr Ken Robinson was right to mention it, the enthusiasm of Members to get to grips with Executive business.

Members want to get to grips with the Assembly's business, and they should be commended for their interest.

Mr Deputy Speaker: Order. Someone has a mobile phone switched on. Please check the phone discreetly and turn it off.

5.00 pm

Mr Paisley Jnr: The Executive recognise the Assembly's understandable wish to discharge its right and responsibility to scrutinise their work, including the important area of draft legislation. The Member for East Antrim is right when he says that good Governments are not measured by the number of laws that they make: it is important to put that on the record. Ministers' acknowledgement of the importance of legislation is on the record, and since the restoration of devolution, Ministers have sought, where possible, to introduce primary legislation in several areas. However, Ministers must be satisfied that the legislation is required in policy terms and is appropriate to meet those needs, and they must secure the agreement of the Executive to do so.

Members will be aware that five Bills were introduced soon after restoration: the Budget Bill, the Health (Miscellaneous Provisions) Bill, the Libraries Bill, the Taxis Bill, and the Welfare Reform Bill. Three of those Bills are under consideration by the relevant Committees. Other pieces of legislation are being worked on and scrutinised. The same amount of legislation has been introduced in the nine weeks of the Assembly's present mandate as was introduced in the first 11 weeks of the Assembly that commenced in 1999. It is important to put that on the record. It just so happened that the so-called dominant parties in 1999 were not the DUP or the party opposite: two other parties were dominant. It is important to — *[Interruption.]*

The DUP were not the dominant party then, but I thank the Ulster Unionists for giving us the position of dominance today. I fully acknowledge the importance of the Executive's informing the Assembly of their legislative intent as soon as they are able, and we intend to inform the Assembly of the business for the current session in a matter of days. However, several observations might usefully be made about the subject of legislation.

First, the Assembly and Executive were restored to bring back accountability — an important issue that was raised by the Member for West Belfast Alex Attwood — and to make the work of the Government here more relevant. The Executive did not take up office to promote, without question, the policies and legislative proposals of their predecessors. If people think that the Executive came here to implement, willy-nilly, legislation that direct rule Ministers had in mind, they are wrong. We intended to bring to this process our own thoughts, strategies and policies and to implement what the public expects us to put in place. All Executive members have brought their own ideas to the table. It would have been an easy option for us to follow, without apology, the policies of the direct rule Ministers, but we have considered — and have to consider — our own policies.

Mr S Wilson: Does the Member accept that the Libraries Bill is a good example of an instance where the Assembly will have to undo some of the legislation that emanated from direct rule and that it will lead — if it goes through — to an unaccountable library authority?

Mr Paisley Jnr: Those are all points that the Assembly and the Executive will consider.

Secondly, the introduction of legislation is not an end in itself. It represents one, albeit important, stage between policy development and implementation. Legislation based on inadequate policy development and consideration is bad legislation and will lead to problems when we try to put it into practice. It is, therefore, right that Ministers are fully satisfied about the purpose, effect and intention of legislation before

they bring it to the House — a point that has been ably made by other Members.

Mr McNarry: I accept the junior Minister's valid comment on direct rule, and thank goodness that we are here. He mentioned the repeal of legislation introduced by direct rule Ministers.

What provision will there be in the forthcoming Programme for Government for repeal of legislation?

Mr Paisley Jnr: If the Member will bear with me until the end of my statement, he will hear something that may at least whet his appetite, if not entirely satisfy him.

Legislation does not represent the totality of the engagement among the Executive, Ministers, the Departments and the Assembly. In the relatively short period since 8 May, some 100 pieces of subordinate legislation have also been laid, following scrutiny of their policy content by Committees. Where appropriate, Ministers have also considered asking the Assembly to approve provisions in respect of legislation that is being passed at Westminster to ensure that those provisions are available in Northern Ireland at the earliest opportunity. The Assembly has consented to that in respect of the Forced Marriage (Civil Protection) Bill, and a number of other proposals that will shortly come forward after discussion with Committees.

It is easy to take potshots and criticise the Executive for not doing enough, but it should be recognised that a considerable amount of work has already been done, which makes that criticism unfair.

Mr Kennedy was critical of the Business Committee when he proposed the motion. That was rather unfair because that Committee decides the business to be done, and its timing. The draft Renewables Obligation (Amendment) Order (Northern Ireland) 2007 was brought before the Assembly today by the Minister of Enterprise, Trade and Investment, and it was allocated only half an hour for debate, which shows a lack of interest from some of those who would be the first to criticise the House for not bringing legislation forward. I am not sure whether the Member was interested enough to contribute.

Mr Kennedy also criticised the strategic leadership of OFMDFM, and said that he wants it to follow direct rule Ministers blindly. The Executive sets their own agenda, and do not follow dictates from another place.

The Member did not name one single piece of legislation that he would like to see enacted, although he did make a comment on the rates process. He also outlined what I can only describe as a recipe for financial ruin, because consideration must be given to budgetary concerns before an agenda is set. Therefore, the Executive are showing strategic leadership by taking that process seriously, stating what they want to do, and asking how that can be paid for.

Mrs D Kelly: Will the Member give way?

Mr Paisley Jnr: I am coming to the Member in a minute.

Mr Kennedy promised the Assembly jam tomorrow, which is not a good policy. The Member for Newry and Armagh criticised the Government, and if he must do that, he should at least be consistent, because he cannot claim one day that Ministers are not getting on with one another, and the next day write to 'The Newsletter' describing them as "Chuckle Brothers". He cannot have it both ways.

The Member for Upper Bann Mrs Kelly mentioned eight pieces of legislation that she would like to see introduced to the House. Of those eight, not one was to do with the Minister whom she is closest to, which tells its own story. If the Government and OFMDFM are going to be criticised about the appointment of a Commissioner for Victims, it is important that the appointment process should not be dragged into a debate in the House against a background of Members having gone public and having named people in the press who are not even shortlisted for interview. That brings the entire process into disrepute. When Members do that, they cast a slur on the credibility of the Assembly, and the process, and they should bear that in mind. It is little wonder that there was not enough confidence to put that matter up for debate. Mrs Kelly raised two other points, one of which was PPS 14, on which a remedy hearing will take place in court.

The Assembly cannot legislate where a remedy hearing is ongoing. The Member said other things that were critical of the Government, and one was the appointment of special advisers. Again, that is a matter for Westminster, our national Parliament, and not a matter for here.

The slur cast on the Assembly has been amplified by the conduct of some Members who turn up and debate in the way that they do. I am glad that the Member for Strangford Mr McNarry is here. His revolving-door antics last week, when he had so many walk-ins and walk-outs, brought this place into disrepute, not the actual content of the debate. It is rather strange to be told that there is a slur on the House and a slur on the Executive when Members behave in that way.

Mr McNarry: Will the Member give way?

Mr Paisley Jnr: I have given way to the Member once. He has had his chance. We accept — *[Interruption.]*

Mr McNarry: On a point of order, Mr Deputy Speaker. Was the issue that the junior Minister has just referred to not dealt with adequately and responsibly by the Speaker this morning, and should the junior Minister not accept the ruling of the Speaker of the House?

Mr Paisley Jnr: I do not believe that I have questioned the ruling of the very wise Speaker of the House.

We accept that a balance must be struck between taking time to dot every i and cross every t on each individual Bill on the one hand and, on the other hand, giving Members a reasonably accurate forecast of what lies ahead during the current session. It is with that in mind that the First Minister and deputy First Minister are bringing to the Executive this Thursday a draft legislative programme for the Executive's agreement. As Members will appreciate — *[Interruption.]*

Do not worry — I will answer that in a minute.

As Members will appreciate, it would not be appropriate for me at this stage — *[Interruption.]*

Mr Deputy Speaker: Order. This is supposed to be a serious debate.

Mr Paisley Jnr: It would not be appropriate for me, at this stage, to discuss the potential content of that programme. When agreement is obtained, the legislative programme of the Executive for 2007-08 will be announced to the Assembly as soon as practicable thereafter.

Some criticism has been levelled at the Executive, and people wondered what the House would have done had it not been for private Members' business. Knowing what is coming, Members should be very careful about what they ask for. They might find that there are extra days and extra sessions on legislation in the House. I am sure that the same Members who are critical of the Executive today will be the first Members to criticise the Executive for overworking them. However, we will wait for that in the weeks ahead.

The programme will, undoubtedly, provide the Assembly and its Committees with much to consider and debate over the coming year, as they scrutinise the intentions of each Department. In doing so, I am sure that the Assembly will share and sustain the aim of the Executive by introducing good legislation that is relevant and will make a real and positive difference to every citizen in Northern Ireland.

Rev Dr Robert Coulter: This has been one of the best debates that it has been my pleasure to listen to, not only for the comedy and the repartee from across the House, but for the depth of understanding of what we are trying to get at in the debate.

Mr Kennedy set the tone when he said that the balance of business was the problem. While it is easy in a debate like this to forget the real thrust of the debate, it is the balance of business in a House such as this that is the important factor. When one looks at some of the impressions that are expressed by the public outside concerning the House — and I take as an example an email on the television on Sunday

evening that said that the Assembly is a joke — it is time that we, as Members, began to look at the reason why someone, in their wisdom or otherwise, would say that the Assembly is a joke.

5.15 pm

The balance of business is important not only for the work of the House but for the respectability of the House.

One must consider the figures. Mr O'Dowd has poured scorn upon them, but figures are history — they are there. The figures are true, and show that non-Executive business, including private Members' business, currently accounts for about two thirds of what the Assembly does. Considering that Members now constitute the Government, is that balance of business right?

I was intrigued by the logic in some of the speeches — and more intrigued by the lack of it in others. Sammy Wilson said that there have been no concrete proposals. Obviously, he was not listening to the suggestion that one way forward would be for past legislation to be revised by Committees. After congratulating Mr Kennedy, he said that, in life, it is better not to interfere. If that is the case, why have this place at all? Members would agree with Mr Wilson that quick legislation is not good; however, he went on to contradict himself by saying that there is a need for legislation.

Francie Molloy wanted to hear the arguments, and said that it is important for the Assembly to move legislation forward. That is exactly what the UUP is asking for — we must move the legislation forward.

Dolores Kelly said that the debate was long overdue, and gave examples of legislation that must be advanced. She wanted to know what differences between the major parties are holding up legislation.

Trevor Lunn said that he might have expected an avalanche of legislation, but saw only legislative paralysis.

In his attack on the Ulster Unionist Party, Jimmy Spratt said that he does not believe that there is a crisis of confidence — even though people take the time to say on television that the Assembly is a joke.

John O'Dowd bombarded Members with statistics, but, as I have said, those figures are history. Is Sinn Féin depending on other parties to bring legislation forward? He did not tell Members what legislation Sinn Féin wants to promote.

Jim Shannon said that too much law is hurried through and that mistakes are made. That is true; however, he went on to say that we must get the legislation on the table. That is what the UUP wants.

Ken Robinson outlined the problem as the UUP sees it. He said that the Assembly should begin the proper work of Government.

Alex Attwood highlighted the Sinn Féin and DUP approaches and that they said that they needed six weeks in order to hit the ground running. We are still waiting to get the race started.

I thank the junior Minister for his summing up, which was much better than I could have managed, and I am glad that draft legislation is forthcoming. He told Members that it would be before us in a matter of days.

I am reminded of another piece of wisdom from the Good Book:

“Before they call, I will answer.”

The UUP calls for an improved balance of business in the House and for responsibility in legislation. I support the motion.

Question put and agreed to.

Resolved:

That this Assembly calls on the Executive Committee to produce, before the Hallowe'en recess, an Executive legislative programme detailing executive business for the current Assembly session.

Adjourned at 5.20 pm.

NORTHERN IRELAND ASSEMBLY

Tuesday 16 October 2007

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

Members observed two minutes' silence.

MINISTERIAL STATEMENT

Outcome of the Proposed Irish-Language Legislation Consultation Process

Mr Speaker: I have received notice from the Minister of Culture, Arts and Leisure that he wishes to make a statement regarding the outcome of the consultation process for the proposed Irish language legislation.

The Minister of Culture, Arts and Leisure (Mr Poets): I have placed in the Assembly Library copies of a report summarising the responses received during the consultation of March to June 2007 on the proposed Irish language legislation. The main focus of that second consultation was to ascertain public opinion on a possible legislative framework for Irish language legislation.

The draft framework proposed the creation of a duty on public authorities to prepare a language scheme specifying the measures that they would take on the use of the Irish language in the provision of their services. The establishment of a new oversight body — an Irish language commissioner — was also proposed. The commissioner would have the function of approving and overseeing language schemes.

In addition, it was proposed that a person would be able to use Irish in legal proceedings in courts and tribunals sitting in Northern Ireland, subject to the provision of notice and the interests of justice. Finally, a draft provision was also included enabling certain statutory forms to be made available in Irish.

A total of 11,000 written responses were received, as well as petitions containing 629 names. Of the total number of respondents, 7,500 — 65% — indicated support for some form of legislation.

Over 4,000 — 35% — of all respondents were against any form of legislation. Approximately 80% of responses were submitted in the form of a pro forma,

drafted by individuals or organisations to assist themselves and others.

I thank all the individuals and the 168 organisations who responded to the consultation. The sheer number of responses confirms the strong and divergent views on this issue in the community. It is my intention to publish all the responses on the Department of Culture, Arts and Leisure website by the end of the calendar year, in line with departmental accessibility guidelines.

Among those in favour of the legislation, there was a divergence of views as to the form that it should take, with the majority advocating a rights-based approach. Those who opposed the legislation raised several concerns, including the significant resource consequences of implementing legislation, its potentially divisive repercussions and concerns that the proposed legislation was a political concession in the context of the discussions at St Andrews.

With regard to costs, in 2006-07, Northern Ireland Civil Service (NICS) Departments and the Northern Ireland Office (NIO) incurred expenditure of £20·62 million on a range of Irish-language projects and translations. That figure includes £10·3 million from the Department of Education for Irish-medium education. It does not include expenditure incurred by the Northern Ireland Court Service or by local councils on Irish translations and linguistic-diversity projects, nor does it include resources — that is, salaries and running costs — deployed by the various Departments in arranging the commitments associated with the £20·62 million annual expenditure.

Members will appreciate that it is difficult to estimate the cost and resource issues that could arise from Irish language legislation. For example, a rights-based framework would likely have greater costs than a language-scheme framework. Equally, it is difficult to estimate the cost and resource requirements of a language-scheme framework without clarity on the content and extent of a typical language scheme.

Officials in my Department undertook a high-level exercise to estimate the cost of implementing a language-scheme framework, which was the indicative legislative framework set out in the consultation document of 13 March 2007. For the purposes of that exercise, the estimates were based on the assumption that the legislation would be applied across all Departments and the NIO in the financial year 2008-09, and drew, where possible, upon estimates based on experiences in Wales and in the Republic of Ireland.

For example, if Northern Ireland were to have an Irish-language commissioner's office similar to that in the Republic of Ireland, the annual running costs would be approximately £500,000. The translation service for the Houses of the Oireachtas costs approximately £600,000 per annum, compared to £1·28 million in the

National Assembly for Wales. It is estimated that almost £200,000 per annum would be required to provide simultaneous translation in Irish for the Court Service, and a similar amount for tribunals.

In respect of the 11 Departments and the NIO, it is estimated that, in 2008-09, if each were to deploy two dedicated staff members, each fluent in Irish, to develop Irish-language schemes, monitor their implementation, give advice and arrange translations, the annual cost would be approximately £927,000. The printing and design of forms to facilitate Irish-language schemes in the 11 Departments could cost approximately £309,000, and advertising costs could be in the region of £931,000, based on a 20% uplift to take account of the increased advertising costs for Irish.

It is important to stress that those broad estimates concern mainly the 11 Departments. Those Departments employ 22,973 civil servants, as opposed to the wider public sector, which employs 111,128 in local government, health trusts, education and library boards, and various NDPBs.

If estimates of the cost of implementing a language-scheme approach in the 11 Departments were to be extrapolated across the wider public sector, and if, for example, the agreed language schemes required public bodies to provide bilingual services, the costs would clearly be significant.

Members will be aware of current pressures on public expenditure in Northern Ireland. In light of that, it is highly debatable whether our community is prepared to contemplate the level of expenditure that would be required to introduce even a modest form of Irish-language legislation at this time. There will always be competing priorities for public expenditure; however, can the additional potential cost be justified in comparison with the investment that is needed for infrastructure, health, and other vital public services?

Furthermore, bearing in mind that approximately £20.62 million per annum is currently spent on Irish-language projects and translations, I doubt whether the legislative route will be necessarily the most cost-effective way of achieving the aims of enhancing and protecting the development of the Irish language.

My purpose in publishing the summary of responses to the 13 March consultation paper by way of this statement is to afford Members an opportunity to offer some initial views on the matter. I intend to fully engage with the Committee for Culture, Arts and Leisure before bringing the matter to the Executive.

Having reviewed the responses to both consultation processes, and having reflected carefully on all the relevant issues, I remain unpersuaded that there is a compelling case for introducing Irish-language legislation at this time.

My first reason for making that decision is that, in view of the political sensitivities on linguistic and cultural policy issues, it is clear that the proposal to introduce an Irish language Bill is divisive in our community. The proposal has given rise to highly politicised claims and counterclaims. As a community, we are faced with the challenge of finding new ways of managing our rich cultural diversity. Indeed, that challenge is enshrined in the duty that was placed on the Executive by the Northern Ireland (St Andrews Agreement) Act 2006 to:

“adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language”

and to:

“adopt a strategy setting out how it proposes to enhance and develop the Ulster Scots language, heritage and culture”.

The UK Government signed the European Treaty for Regional or Minority Languages on 2 March 2000. The resulting charter was ratified on 27 March 2001 and came into force on 1 July 2001. That is an international convention that was designed to protect and promote regional and minority languages. In Northern Ireland, it applies to Irish and to Ulster Scots. The committee of experts that is examining the implementation of the charter in the UK has recommended the development of a comprehensive policy for the Irish language.

It is my assessment that the proposal to introduce Irish-language legislation at this time is unlikely to command the necessary support in the Assembly on the grounds of being incapable of securing sufficient consensus.

If we reflect on the introduction of language legislation in Wales, the Republic of Ireland and Scotland, experience there clearly shows that giving legislative effect to linguistic policies needs to occur in a depoliticised manner that is capable of commanding broadly based community support. The two consultation processes that have taken place on the proposal to introduce Irish-language legislation, and the ensuing public commentary, clearly demonstrate the lack of community consensus on the issue.

10.45 am

Furthermore, given the sensitivities involved, if the development of the Irish language is to be enhanced and protected, it would be counterproductive to go down the legislative route. The proposed legislation is unlikely to command sufficient consensus in the community at this time, so, if it were to be advanced, it could damage good relations, increase polarisation and entrench suspicions and patterns of antipathy. That could seriously undermine the efforts of those in the Irish-speaking community who genuinely want to see the language developed in a depoliticised and wholly inclusive manner.

Based on a high-level cost estimate, the introduction of even a modest language-scheme legislative model would have significant resource implications. Mindful of the constraints on public expenditure, and, in particular, the pressures in my Department alone, I cannot reconcile the likely opportunity costs of introducing legislation and other spending priorities.

If our aim is to achieve the tangible outcomes of enhancing and protecting the development of the Irish language and facilitating those who wish to use Irish in their dealings with the public sector, I consider the legislative route to be a disproportionately costly method of achieving positive outcomes. The legislative requirement placed on the Executive to adopt a strategy to enhance and protect the development of the Irish language offers a more cost-effective and proportionate alternative.

I have carefully considered the proposal in annex B to the St Andrews Agreement to “introduce an Irish Language Act” and the consultation processes on which the previous Administration embarked. I fully acknowledge that there are those in the Northern Ireland community who have a close affinity with the Irish language and have legitimate aspirations to secure its official recognition and protection.

The enhancement and protection of the development of the Irish language is an important matter for Northern Ireland, as is the enhancement and protection of the Ulster-Scots language, heritage and culture. However, I remain unpersuaded that a compelling case for progressing legislation exists at this time. There is insufficient community consensus, and there are potentially significant costs. Moreover, there is a real possibility that legislation could undermine good relations. In so doing, it could prove counterproductive to those who wish to see the language developed in a non-politicised and inclusive manner.

In publishing the report that summarises the responses received to the consultation exercise that ran from March until June 2007, and in outlining in my statement my current assessment of the proposal to introduce an Irish language Bill, I trust that I can assist the Assembly’s deliberations. I will be most interested to hear Members’ views. I am scheduled to discuss the matter with the Committee for Culture, Arts and Leisure later this month, after which I will prepare a paper for discussion by the Executive.

Mr Speaker: Before the Minister takes questions, I remind Members that they are to ask questions, not make further statements. I shall allow Chairpersons of Committees some latitude.

The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff): Go raibh maith agat, a Cheann Comhairle. Ar maidin tá faill déanta sa

Ghaeilge sa Tionól seo. Drochscéal ar fad atá i gceist agus drochshíniú ón Aire. Agus is mór an trua sin.

The Minister will know, a Chathaoirligh, that, both on Friday afternoon and yesterday, in my capacity as Chairperson — Cathaoirleach — of the Committee for Culture, Arts and Leisure, I attempted, through my Committee staff, to contact the Minister by telephone and email on more than 10 occasions. I wanted to secure a meeting with him so that he might respond to developing speculation in the media about the content of this morning’s statement.

I will not go on at length, but, suffice it to say, the Minister demonstrated neither confidence nor courtesy, effectively giving the Cathaoirligh of the Committee the runaround. I was told he might be available to meet me in the afternoon but, of course, that meeting never came to be. *[Interruption.]*

Mr Speaker: Order, Members.

Mr McElduff: Speaking in a personal capacity, I wish to say that this morning’s announcement constitutes a mistake. It is a retrograde step that sends out a negative signal to the growing Irish-language community in the North of Ireland.

The Minister is missing a major opportunity to prove that he is capable of being, and willing to be, a Minister for all the people. I am suspicious of the Minister’s view that:

“it is highly debatable whether our community is prepared to contemplate the level of expenditure that would be required to introduce even a modest form of Irish-language legislation at this time.”

Is the Minister placing the Irish-language community in the North of Ireland outside of his community? Is his definition of “community” exclusive of the Irish-speaking community in the North of Ireland? If it is, it strikes me that the term “Minister of Culture” is an oxymoron when it is applied to the post’s incumbent.

One consultation was not enough. When the Minister did not like the outcome of the first one, he decided to carry out a second. Is it the case that the total percentage of responses, over the two consultations, in favour of Acht na Gaeilge — an Irish language Act — was 75%?

Does the Minister agree that, as with the Welsh example, the best way in which to depoliticise the Irish language is to place such rights at the heart of legislation? Is iad sin mo cheisteanna, a Cheann Comhairle.

Mr Poots: The Member spoke of placing the Irish language at the heart of people’s rights. Individuals have rights in this country. The first such right is the right to life, and, thereafter, there are a series of other rights. I am not denying anyone the right to speak in the Irish language. We do not necessarily need Irish-language legislation to enable the Irish language to flourish. For example, there is Irish-language

legislation in the Republic of Ireland, yet use of the Irish language is diminishing there. In Northern Ireland, we do not currently have an Irish language Bill, yet it has been told to me by a number of sources that use of the Irish language is growing here.

Introducing a Bill will not, of itself, necessarily encourage or increase the use of the Irish language. Members must reflect on that and take a considered view of the situation when deciding how they want to take the issue forward genuinely.

When I refer to the community, I refer to the entire community. I am referring not to Irish-language speakers, Ulster-Scots speakers, unionists or nationalists, but to the whole community. Irish-language speakers are part of that community. There are those in the Irish-speaking community who are very keen to see the issue progressed in a way that is not politicised.

I have had the privilege of meeting people who are involved in the Scottish Gaelic-speaking community. The difference between the situation in Scotland and that in Northern Ireland is that, in Scotland, language is not a political matter. Language does not necessarily represent a barrier there. Members opposite, in particular, but also people outside of the Chamber, must reflect on that fact and determine how they can take the matter forward in a non-political way.

Mr McCausland: I thank the Minister for his statement, which clearly demonstrates that an Irish language Act would be divisive and extremely expensive. Does the Minister agree that the European Charter for Regional or Minority Languages, to which the United Kingdom Government are committed, provides a good framework for advancing both minority languages in Northern Ireland?

Will the Minister, in considering the matter further, take account of the situation in Wales, where there is growing concern, particularly in the business community, at the cost of implementing the provisions that some activists are demanding?

Mr Poots: The European Charter for Regional or Minority Languages is a European directive, so we must abide by it, even if we do not wish to. Indeed, through our actions, we are more than abiding by it. We do not need to introduce legislation to work within its framework.

Therefore, the European Charter for Regional or Minority Languages is the context in which we must work and the means through which we can identify how to make progress.

Mr McCausland talked about the costs of language schemes in Wales, where such legislation has been enacted. The costs that I identified were at the lower end of the scale and were for a language-based rather

than a rights-based scheme, which would be considerably more expensive than a language-based scheme.

Mr McNarry: It is regrettable that the Chairperson of the Committee for Culture, Arts and Leisure did not consult with the Deputy Chairperson about his concerns, either last Friday or yesterday.

I welcome the Minister's statement. *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr McNarry: Clearly, the fact that last week's Ulster Unionist's motion on the Irish language was defeated has demonstrated that the House was both deeply divided and reflective of public opinion. Will the Minister confirm the Assembly's authority on the matter by asserting that the powers to introduce an Irish language Act will not be transferred to Westminster, allowing it to be imposed on us? That would be counter-productive to local democracy and would further undermine the good relations that he and I know must be made in this matter.

Mr Poots: This is a devolved matter. If Westminster wished to take back devolved matters, under the Sewel guidelines, this House would have to vote in favour of Westminster's making such a decision.

Members may wish to look to other places, but I say that they should look to this House to ascertain how we can make progress on this and other contentious issues. It will be a test of the Assembly — and of the willingness of Members — as to how we can work with one another for the benefit of the wider community in the months ahead.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Leis an fhírinne a dhéanamh, a Cheann Comhairle, níl mórán iontais orm ins an mhéid a chuala mé anseo ar maidin mar bhí an fógra déanta cheana féin an tseachtain seo caite ag an tUas McNarry anseo ar leathanach tosaigh den 'News Letter', só ceapaim go bhfuil poll áit éigin i long na Ranna Cultúir, Ealaíon agus Fóillíochta, agus b'fhéidir gur chóir don Aire paiste a chur ar an pholl sin.

Mr Speaker: Order. Let us have the question.

Mr D Bradley: To translate, I was just saying that I was not really surprised by what I have heard in the Chamber this morning, given that Mr McNarry made the announcement last week on the front page of the 'News Letter'. It looks very much as though there is a hole — *[Interruption.]*

Mr McNarry: I will give you a copy, and that will keep you abreast of things.

Mr D Bradley: Thank you.

Mr Speaker: Order.

A Member: What is the question?

Mr D Bradley: There is a hole in the good ship CAL, and perhaps the Minister should seek to fix the leak in the future. The Minister seems to understand the cost of everything and the value of nothing. He uses the financial issue to cover up the fact that he has given in to pressures — *[Interruption.]*

Mr Speaker: Order. I ask the Member to take his seat. I have continually tried to give Members some latitude. I said repeatedly at the start of the debate that statements should not be made to the Minister; we should have questions.

Mr D Bradley: My question is that, given that the Minister has abdicated his duty to implement the promises made by the two Governments in the St Andrews Agreement:

“to introduce an Irish Language Act reflecting on the experience of Wales and Ireland”,

will he now advise the British Government of that abdication and ask that the matter be dealt with at Westminster? Go raibh míle maith agat, a Cheann Comhairle.

Mr Poots: I have no responsibility over decisions that the Governments of the Republic of Ireland and the UK make. I make that completely clear.

This House is its own master, and this House will make the decision. For years, some Members on the opposite Benches were shouting “Brits out”, but now they want the Brits in to make this decision. I can assure the House — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

11.00 am

Mr Poots: I can assure the House that at no time during any talks was the DUP consulted on an Irish language Bill or legislation. If the Member cares to read the Northern Ireland (St Andrews Agreement) Act 2006, he will find that there is no reference to proposals for Irish language legislation.

Dr Farry: The Alliance Party saw some potential in an Irish-language scheme as a means of trying to find common ground, albeit with a very light touch. What efforts did the Minister make to try to find common ground in the polarised debate between those, on the one hand, who want a rights-based approach and those, on the other hand, who want no legislation whatsoever?

With respect to costs, what consideration was given to pooling resources in a central Government unit, rather than duplicating translation services across all 11 Departments and the rest of the Northern Ireland Civil Service? Given that the Minister is now withdrawing proposals for an Irish language Act, is he prepared to come back to the Assembly with plans for a comprehensive language Act that will address not only the cultural demands of speakers of Irish and

Ulster Scots but the real needs of those people who speak non-indigenous languages in Northern Ireland and who find it difficult to access services?

Mr Poots: Consultation has not finished on this issue. If the Member had listened to what I said, he would know that I am going back to the Committee for Culture, Arts and Leisure and the Executive Committee. The Committee for Culture, Arts and Leisure is a microcosm of the House, and I can think of no better place to find common ground. If that Committee can identify an agreed way to proceed, I, as Minister, will be happy to work with it. I look forward to the Committee’s proposals and discussions, under Mr McElduff’s chairmanship, after which we can consider how to progress the issue in the way that the Member outlined.

Mr Shannon: I welcome the Minister’s report on the Irish language Act. It is good that we are discussing the matter, which is one of the biggest issues in my constituency of Strangford, from where the Department of Culture, Arts and Leisure received 600 responses to its consultation. The issue gets people’s hackles up, and the costs are horrendous.

The Minister mentioned costs. Can he confirm that the Northern Ireland Office costs are £20 million? He also mentioned £500,000 for the language commissioner’s office, and that it would be £1.2 million if compared to the National Assembly for Wales. For the 11 Departments, he mentioned:

“annual costs ... £927,000 ... printing and design ... £309,000, and advertising costs ... of £931,000”.

It sounds a lot like that Abba song:

“Money, money, money ...
It’s a rich man’s world.”

In this case, it is Sinn Féin’s world, but it is not in the mind, or in the world, of ordinary people. How much, per annum, will it cost the Civil Service and other public bodies if an Irish language Act is imposed?

Mr Poots: In 2006-07, all Departments and the NIO incurred costs of some £117,000 on Irish translations; the overall costs for translations were over £1 million. All Departments and the NIO spent £3,484,000 on linguistic diversity projects. The Department of Culture, Arts and Leisure spent over £3 million on the Irish-language broadcasting fund and £3,556,000 on Foras na Gaeilge. The Department of Education spent £10,303,000 on Irish-medium education, and the Department for Employment and Learning spent £100,000. If Members suggest that the Government are not committed to Irish-language funding, those figures show that that is not the case.

As regards additional commitments for Irish-language translation, we would be looking for an anticipated £1 million over the next 10 years. For Foras na Gaeilge, we would be looking for almost £12 million over the

next 10 years. For the Irish-language commissioner's office, we would be looking for £7,600,000 over the next 10 years. For the translation service, based on what is happening in Wales, we would be looking for a further £16,916,000. For the Court Service, we would be looking for £2,117,000. For tribunals, we would be looking for £2,117,000. For printing and design, we would be looking for £3,385,000. For advertising and publicity, we would be looking for £10,193,000, and for an Irish language branch, we would be looking for £10,150,000.

Totting all that up — and this is for the language scheme route, rather than the rights-based route — we would be looking at costs over the next 10 years of £291,538,000 for the Northern Ireland Civil Service and Northern Ireland Office alone. They account for 22,000-odd civil servants. If it were extrapolated out to local government, NDPBs and other functions of government, there would be 111,000 people, so the figures could be increased fivefold if we were to go down that route. That is the extent of what is being asked of me. When Members ask me to consider doing this, I have to look at the costs and the value of it. At the same time, there are other pressing and vital issues being raised by Members on a weekly basis on the Floor of this House.

Mr Adams: Go raibh míle maith agat, a Cheann Comhairle, agus tá mé buíoch díot agus tá mé buíoch den Aire, ach caithfidh mé a rá fosta níl iontas ar bith ormsa. Tá cúpla ceist agamsa. An bhfuil eagla ar an Aire roimh an teanga? Is leis an Aire an teanga. Is le achan duine an teanga seo agus bealach amháin nó bealach eile beidh Acht na Gaeilge ann.

I have just a few questions for the Minister, a Cheann Comhairle. Does he agree that it costs the same to provide English-language services as it does to provide Irish-language services? Does he agree — and perhaps he will reflect on this — that he did a disservice to two languages this morning? He did a disservice to the English language, in the perverted way in which he tried to put forward spurious reasons for his judgement this morning, and to the Irish language. *[Interruption.]*

Mr Speaker: Order, Members. Order.

Mr Adams: Does the Minister accept that the way to depoliticise Irish-language rights is to make them an administrative matter? Will he take the opportunity to spell out to us how he intends to deliver on the commitments that he and his party made in relation to the Irish language in the St Andrews Agreement? Will he accept, finally, that, one way or another, there will be an Irish language Act?

Mr Poots: As regards equivalence of costs, translation comes at a price, and I have identified that price very clearly. I have identified the lower level of costs that would be accrued, as opposed to the higher level of costs.

In education, I understand that there are around 4,000 children in the Irish-medium sector. The costs there are clearly higher than those in the mainstream, and if the educationalists in the Chamber want to look at that matter, they will see that it costs more money to educate children in the Irish-medium sector than in the mainstream. That is a choice for another Minister to make, but she has to make that choice within the budget that is applied to her. That should be reflected upon when we come to making budgetary decisions. I understand that the Department of Education needs substantially more money than it currently has in order to deliver many of its key priorities.

Certain Members opposite could greatly assist in depoliticising the use of the Irish language. When they speak in broken Irish in the House, it does nothing to encourage the wider community. Rather, it persuades people to resist the Irish language. It does not benefit Irish-language activists who genuinely want to make progress in a depoliticised way. I have spoken to people in the Irish-speaking community who have made it clear that they wish that the language issue were not politicised, because it should be a purely cultural one.

Members across the Chamber must reflect on that point, because the more that they politicise the issue and try to ram it down people's throats, the less likely it becomes that individuals will be encouraged to think that the Irish language should be developed and preserved on the basis that it is important culturally. The approach that has been taken by the leader of the party opposite has been most unhelpful, particularly in the House.

Lord Browne: I congratulate the Minister on the way in which he has conducted business on the subject. Given the legislative restrictions contained in The Budget (Northern Ireland) Order 2007 that determine what can be taken from the Consolidated Fund, as well as our limited ability to raise further moneys, will the Minister clarify whether the introduction of an Irish language Bill would have a detrimental effect on spending on arts and sport?

Mr Poots: Were an Irish language Bill to be introduced, my Department would have to bid for substantially greater funds. If we did not receive those extra funds, that would have a detrimental impact on the arts, sport, and everything else for which the Department of Culture, Arts and Leisure has responsibility. If we were successful in bidding for that extra funding, it would have a detrimental impact on other Departments, as that money would have to come out of their budgets.

The European Charter for Regional or Minority Languages identifies terms of value for protecting and enhancing languages. The suggestion by some Members this morning has been that Irish-language legislation is

the best way in which to achieve that. I am open to listening to a convincing argument, but none has yet been made. However, I look forward to hearing the Committee make its case, and to agreeing a way forward.

Mr K Robinson: I am sure that members of the public who are watching and listening to the debate will have been horrified to learn of the sums of money that are already being expended on the Irish language. It may have come as a surprise to Members, too.

Doubtless, patients who are lying on a hospital trolley would be mightily comforted to look up and see a sign in Irish that told them that they were lying in a hospital corridor. I am sure that the parent of a child with literacy problems, who attends a school in one of the working-class districts about which the Minister of Education tells the House that she is concerned, would want to see a reading-recovery teacher in that school rather than an Irish-language sign at the end of the school's street.

At one stage, on hearing the sums of money that the Minister cited, I thought that we were to get two stadia.

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

Mr K Robinson: I am coming to the question, Mr Speaker. Does the Minister agree that Sinn Féin has succeeded in scoring a spectacular own goal, and that its strident approach has scuppered what might have been accepted had it been genuinely presented as one form of cultural diversity in our community?

Mr Poots: I will allow Members to make their own judgements on what Sinn Féin has done. I am prepared to continue to speak with people in the Irish-language community, and to others, to identify a way in which to ensure progress in Northern Ireland.

11.15 am

What members of other parties do is up to them. However, I did indicate in my response to Mr Adams that, very often, people do not help themselves.

Mr P Ramsey: Will the Minister agree that deep anxiety, concern and frustration will be felt by Irish-language groups across Northern Ireland as a result of his statement?

Bearing in mind the Minister's comment that the two consultation processes to date led him to believe that an Irish language Act would not command community consensus, does he agree that there is deep worry and suspicion that the second consultation process was contrived to enable troops to gather momentum in opposition to the first consultation process? Why was the second consultation process necessary, when the first one commanded 93% support for an Irish language Act?

The Minister gave a commitment that he would make himself available to the Committee for Culture, Arts

and Leisure on any Thursday. Why, then, did he not feel that it was appropriate, good manners and respectful to bring his statement to the Committee for discussion? The Minister talked about securing consensus from the Committee — failing to discuss this issue with the Committee is not a good way of doing that.

Given that legislation exists to support the Welsh language in Wales and Scottish Gaelic in Scotland, and given Northern Ireland's current constitutional status as part of the UK, why does the Minister not consider that an exception should be made in Northern Ireland for the Irish language?

Mr Poots: The Irish-language community has lost nothing today. The money that was on the table is still on the table. I have not taken away the level of expenditure on the Irish language that currently exists. Let not the message go out that I have decided, in a sectarian or bigoted way, to move against the Irish-language community.

I have reflected on a consultation process that indicated that clear divisions on this issue exist in the community. A previous contributor indicated that I introduced the second consultation process because I did not like the results of the first one. That is absolute rubbish. I inherited a situation in which the second consultation process was under way. In fact, I was under pressure from people outside of this House, such as Jim Allister, to stop the second consultation process. He must have been satisfied by the outcome of the first consultation process because he did not want the second one to proceed.

It is clearly evident that the second consultation process, in conjunction with the first one, identified clear community division on this issue. When there is clear community division, it is unlikely that there will be consensus in this House.

As for working with the Committee for Culture, Arts and Leisure, I am scheduled to attend the Committee meeting on 25 October 2007 to discuss this matter in detail. The figures have been drawn together, and the analysis has been completed. The normal protocol for a Minister is to bring those matters to the House, which encapsulates everyone who was elected to the Northern Ireland Assembly. I am happy to go into this issue in much greater detail with the Committee, and to discuss it with the Committee to ascertain the best way forward. I look forward to illumination from that body.

Mr Brolly: Go raibh maith agat. The Minister must be aware of the message that he is sending out, not only specifically to Irish-language organisations, but to all organisations in the North who are involved in cultural matters. Most Gaelic cultural bodies and sporting bodies are committed by their constitutions to the promotion of the Irish language. That includes the GAA and Comhaltas Ceoltóirí Éireann — the Dublin-based

organisation that looks after traditional Irish music and other cultural matters, and which will be appearing in the Long Gallery tomorrow night or the night after that.

So there is a huge community outside those specifically Irish-language organisations that will take great offence at the statement, and the Minister will certainly hear from them. If I could make another point before I ask the question —

Mr Speaker: I ask the Member to put his question.

Mr Brolly: I will. The Minister is being a bit disingenuous regarding costs, particularly with respect to Irish-medium education. As Mr Adams said, youngsters will be educated in any event. The Minister should have given figures for the difference in costs between Irish-medium and English-medium education. Is the Minister fully aware of the impact that his decision will have beyond Irish-language groups?

Mr Poots: I am not sure that I am fully aware of the impact that my decision will have. However, I am fully aware that any decision I make will have a tremendous impact on the wider community. For example, while more than £20 million is being spent on the Irish language, when I took office, my Department was spending zero — no pounds — on sign language, which benefits people who cannot speak, who have only that language, and can choose to speak no other language.

On 6 October, I was in Dungeness, which is in the Member's constituency, and I had a tremendous evening with the Hands That Talk group. My sympathies are clearly with those who have to communicate in a language that is exclusive to them and who are unable to communicate in any other language. Taking £20 million from the Budget and pouring it into Irish-language schemes would have an impact across the community. Whatever my decision, there will be an impact, and I must consider these issues in the round.

The matter is still open for discussion in Committee. I have identified the costs, the results of the consultation process and the difficulties. If Members can demonstrate to me that those difficulties are surmountable, I am open to hear what they say.

Lord Morrow: I congratulate the Minister on his positive statement, which will send out a clear message. No-one would understand why he should commit to expenditure of £291 million over the next 10 years on the Irish language. That language is in its current position because of the attitude of the folk opposite who have sought at every turn to politicise it.

Will the Minister assure Members that he will not bend to political pressure such as that which comes from the other side of the House? The Members opposite may have got an assurance at St Andrews, but they must go and talk to those who gave them that assurance.

They got no assurance from this side of the House, and they had better face up to the fact that their dream is falling apart at their feet.

Will the Minister assure the House that the money saved will be spent effectively and in a way in which the whole community can benefit? I am thinking of soccer, rugby and activities in which both sections of the community already participate.

Mr Poots: I find pressure readily absorbable. People can apply pressure if they wish.

As regards spending, I cannot spend this money in any other way because I do not have it in the first place. I do not think that the Government has that money because during the comprehensive spending review, and at the Executive Committee meeting last Monday, every Minister was outlining how more money is needed for his or her Department.

Perhaps the Ministers of the parties opposite would identify which part of their Budgets they would like to see cut so that this scheme could be implemented. If they could demonstrate that, Members on this side of the House might be able to take some of their cries more seriously.

Ms J McCann: The Minister quoted many figures in his statement. Does he accept and acknowledge that the £10.3 million of Department of Education money that he mentioned is, in fact, ordinary education costs and not additional costs, and that that money would be spent on children's education anyway, regardless of the language in which those children are taught?

Mr Poots: I accept that an element of those costs represents ordinary education costs, but certainly not all of it. If I wanted to open a school for 12 children in my area, I would be told to go away. However, if someone wants to open an Irish-language school for 12 children, it seems that that can be achieved. The reason that that situation is most aggravating lies in examples such as the one in my constituency, where four schools that were to amalgamate, with more than 100 pupils among them, were all closed, yet a few weeks or months later, new schools are being opened with as few as 12 pupils on the enrolment list. Obviously, double standards are being applied.

If a child happens to be taught in the controlled sector, that child will be discriminated against. Children in that sector have less funding per child than children who are taught in the Irish-language sector or, indeed, in the integrated sector. It is clear that preferential treatment is being given to those who are taught in Irish-medium schools, over and above those who are taught in other education sectors.

Mr Easton: I welcome the Minister's statement. Does he agree that any Irish-language group or Irish-speaking person would not want cuts to front-line services, such

as education and health, in order to pay for an Irish language Act? Does he further agree that the fact that only 75,000 people out of a population of 1.7 million can speak the Irish language means that that would have been a waste of taxpayers' money?

Mr Poots: I have laid down a challenge. I look forward to other Ministers stepping up to the table to indicate the reductions that they can make in their departmental spending in order to enable me to go ahead and produce the finance for that measure. I do not believe that people want a reduction in health services, infrastructure not being developed and promoted, or the economy taking second or third place. They want the country to progress. The Celtic tiger was not based on the Gaeltacht, but on the economy. Northern Ireland must identify with that by moving the economy forward and, therefore, by releasing more funding to develop education, health and the other areas that most require it.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. De réir gach dealraimh is é an rud atá againne inniu ná leithscéal i ndiaidh leithscéil agus fáthanna nár chóir rud ar bith a dhéanamh mar mhaithe leis an teanga Gaeilge. The Assembly has been given excuse after excuse as reasons not to advance the Irish language. However, I seek some clarity from the Minister. In his speech, he referred to the European Charter that applies to Irish and Ulster Scots, and to the report of the Council of Europe committee of experts. Can he confirm whether he has now rejected that report?

Mr Poots: I can confirm that the answer is no.

Ms Anderson: Go raibh maith agat, a Cheann Comhairle. Bearing in mind that the Welsh language has been protected by the Welsh Language Act since 1967, Scottish Gaelic is now protected by legislation, and Irish is protected constitutionally in the rest of Ireland, does the Minister agree with Eamon Ó Cuív's assessment that the North is the missing piece of the jigsaw? Does the Minister care about the reaction or feelings of the Irish-speaking community? Does he care about the effect of his statement on the wider community?

11.30 am

Mr Poots: I have taken the wider community into consideration in looking at this situation. It is important that we consider the views of the wider community. As I have said, the Irish-language community has not lost anything today. There are those who have suggested that legislation was the best way forward on the matter. I have outlined the issues that surround that —
[Interruption.]

Mr Speaker: Order. The Minister has the Floor.

Mr Poots: I have outlined the financial issues that surround the proposal. I have also outlined issues relating to community support and the communities that are

opposed to any legislation, and the difficulties therein. Looking at the issue for the wider community shows that there are very clear difficulties. If Members cannot see those difficulties, it is they who have a problem, not me.

As I said earlier, the Irish-speaking community appears to be growing in Northern Ireland, where we do not have an Irish language Act, and declining in the Republic of Ireland, where there is legislation. Therefore, there are people in the Irish-language community who will not be particularly dissatisfied if Irish-language legislation is not introduced. An Irish language Act would not necessarily help the language.

PRIVATE MEMBERS' BUSINESS

Training and Employment Places

Mr Speaker: The Business Committee has agreed to allow up to two hours — *[Interruption.]*

Lord Morrow: On a point of order, Mr Speaker. Is it not the convention in this House that, while you are on your feet, everyone else should be in their places? I see that some Members have not yet learned that rule.

Mr Speaker: I thank Lord Morrow for raising that point of order. *[Interruption.]*

Order. I ask Members to take their places.

The Business Committee has agreed to allow up to two hours for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for the winding-up speech. All other Members who wish to speak will have five minutes. Two amendments to the motion have been received and are published on the Marshalled List. The proposer of each amendment will have 10 minutes to propose and five minutes for the winding-up speech.

Ms S Ramsey: I beg to move

That this Assembly expresses its concern at the dearth of training and employment places for disabled children and young people; and calls on the Minister for Employment and Learning to undertake an immediate review and produce an action plan to address this issue as a matter of urgency.

Go raibh maith agat. I welcome the opportunity to bring this issue before the Assembly and to put the focus on young people with special educational needs, disabilities or learning difficulties. I also welcome the Minister to the debate, and I welcome his personal commitment to dealing with the issue.

Young people with special educational needs are a group about which it is difficult to get accurate statistics. In 2005-06, there were 53,000 children and young people with special educational needs attending school. That number has more than doubled in the past 10 years. All indications are that that figure will continue to rise. The issue is particularly important because disabilities affect so many young people, who will face many hurdles in their lives and who need and deserve our support. I have a number of questions to ask the Minister during the debate. I would be grateful if he could ask his officials to respond in writing, if it is not possible for him to provide answers in the time that has been allocated to the debate.

In 2006, the Minister's Department, in conjunction with a number of other Departments, published a report on this issue. It recognised that there are real difficulties in ensuring that children and young people with statements of special educational needs can realise their full potential in school and achieve their goals, whether

in training, education or work. Too many disabled young people still find themselves, having left school, without access to the kind of employment and training that can allow them to have fulfilling lives. For some disabled young people, the lack of appropriate training and places at day care centres means that they spend the majority of their time at home with nothing to do. Some develop associated mental-health problems.

Too many parents remain concerned that their children will not be able to access further education or training, or that the opportunities that are on offer will not allow them to develop their independence. On leaving school, many young people with learning difficulties or disabilities find that there is no clear path of transition to employment ahead of them. In fact, they often experience multiple layers of discrimination and disadvantage. That means that they have many barriers to overcome to achieve their potential and find suitable employment — barriers that those without disabilities or special needs would struggle to overcome.

Those young people find that there is a lack of full-time vocational training and employment options that lead to meaningful paid employment. In a recent Barnardo's survey of young disabled people, the following barriers were identified: lack of choice in post-school options; lack of accessible colleges; low expectations for young people with disabilities; fewer opportunities to gain recognised qualifications; lack of co-ordination among agencies that work with young people; lack of suitable equipment or adaptations to meet their needs; and a view that there was a policy of cost above need.

Many young people said that they felt that they were pushed into courses in which they had no interest. Administration courses were often cited as those that they were most likely to be offered, even if such courses did not suit their needs. Many young people then dropped out and some failed to find an alternative option. Some young people said that they were not permitted to select the college or course of their choice because the building was inaccessible or the necessary support was not available. Some who had a day care place rather than a training or employment place said that they felt neglected and ignored, with little sense of a hopeful future.

Research by the Joseph Rowntree Foundation shows that the scope and level of aspirations among disabled 16-year-olds are similar to the scope and level of aspirations among other 16-year-olds. However, by adulthood, a sharp change is evident, with only half of disabled young people reporting that they received the education, training place or job that they wanted.

The failure to provide access to the type of training, education and employment places that young disabled people need is also linked to poverty. At the age of 26, disabled people are more than four times as likely to

be unemployed or involuntarily out of work than non-disabled people. They are likely to have lower levels of educational qualifications and are more likely to have not fulfilled the employment aspirations that they had set for themselves 10 years previously. However, the research clearly demonstrates that poverty of aspiration is not the main barrier for disabled young people, but the need for additional support, information and opportunities.

Many disabled young people have identified as a major problem the failure of training courses to provide industry-recognised qualifications, which means that they will have spent time on qualifications that have no currency in the real world. A number of reports commissioned by the Department for Employment and Learning have confirmed that that is a problem.

A report on educational provision for students with learning difficulties and disabilities found that improvements have been made since 2001, but that a number of problem areas still need to be addressed. Those areas include the need for colleges to review learning-support structures; the need to ensure that provision exists across curriculum areas; the need to provide broader access to accredited courses; and the need to initiate a process of effective whole-college staff development in special needs. Can the Minister advise the House how each of those recommendations has been taken forward, and what progress has been made?

That report further suggests that, although current further education links are satisfactory in the majority of cases, provision would benefit from a review of the value and outcomes of existing courses developed for that pupil population. Can the Minister advise the House on how that matter is being taken forward?

As well as further education colleges, a number of voluntary organisations, such as Mencap, the Cedar Foundation and Barnardo's, to name but a few, provide training and support for disabled young people. Such organisations provide training, employment and ongoing personal support. However, most of them are dependent on short-term — usually European — funding, and it is difficult to develop services when funding is constantly at risk. Those types of services can provide young people with the additional support and resources that make a real difference.

I ask the Minister to undertake a full review of all provision available in training and employment, further education and the voluntary sector, to assess its effectiveness and determine any other requirements, and to put in place an appropriately funded action plan that will provide young disabled people with the kind of quality choices and training support that will improve their lives.

Two amendments have been tabled, and I accept the Ulster Unionist amendment, for which I thank David McClarty and John McCallister. The SDLP amendment

merely restates the Sinn Féin motion; it is an amendment for an amendment's sake. Go raibh maith agat.

Mr McClarty: I beg to move amendment No 1: Leave out all after "Assembly" and insert

"expresses its commitment to securing training and employment opportunities where appropriate for young people with disabilities; and calls on the Minister for Employment and Learning to review the provision of such training."

It has been well said that the true test of the value of a society is how much care it takes of its weakest and most vulnerable members. All of us in the Assembly have a responsibility to see that that duty is carried out. I congratulate the Chairperson of the Committee for Employment and Learning for tabling the motion, and I thank her for accepting my party's amendment. However, we are concerned that the motion has the potential to be too narrow in its focus.

It is important to remember that training and learning courses and further education college places may not always be the most appropriate choices for children and young people with disabilities. In dealing with the transition of young people with disabilities beyond school, it is necessary for other Departments and agencies to fulfil their responsibilities. Although I make that point, I also acknowledge that there is a significant need for governing bodies of further education institutions to provide sufficiently for the needs of students with a learning disability, where appropriate. That is important.

The results of the Northern Ireland survey of people with activity limitations and disabilities, which was conducted throughout 2006 and 2007, showed that among children, 6% were noted as being affected by a disability, there being a greater prevalence among boys in comparison with girls. Eight per cent of boys aged 15 years and under had a disability, compared with 4% of girls of the same age.

The latest Disability Rights Commission briefing, based on the UK-wide labour force survey of April to June 2007, shows that half of people with disabilities are in work, compared with four fifths of non-disabled people. As 9% of those aged between 16 and 24 years of age have a disability, such a figure can be seen to imply that a significant number of disabled young people are out of work. The chances of getting a job are also significantly reduced, as 25% of people with disabilities have achieved no qualifications, compared with 10% of non-disabled people.

A review of the provision of employment and training places by the Department for Employment and Learning would go a long way in addressing those facts and statistics that are of such concern. Since the motion refers to that Department, it is worthwhile pointing out some of the commendable measures that that Department is undertaking on those issues. In 2006-07, an additional £4.7 million has been made available in further education for the provision of extra auxiliary aids and services

and special staff training. Almost £1 million has been allocated to special needs projects in further education in 2006-07. Furthermore, an inclusive learning project has been established throughout further education. Young people can now access mainstream further education with additional support; special provision is available if mainstream education is not suitable.

Personal development programmes such as Training for Success and Skills for Work are tailored for trainees with disabilities. The Department for Employment and Learning is in the process of establishing an expert group to ensure that the programmes meet, specifically, the needs of disabled young people

Those programmes take forward work, which 26 training organisations have been involved in for the past few years, to ensure that the provision meets the needs of disabled young people.

11.45 am

Finally, the Disablement Advisory Service (DAS) has a programme called Workable NI, which supports people with disabilities to work in a wide variety of jobs. There is a clear liaison and referral service between the Department's careers service and DAS. That is of great benefit to children and young people with disabilities and their families, and I commend the Department for that.

The motion calls on the Minister to produce an action plan to address the dearth of training and employment places for children and young people. I conclude by referring to an important document that has been published by the Department: 'Department for Employment and Learning: Disability Action Plan: 1 April 2007 - 31 March 2008'. The action plan outlines measures to:

- Promote positive attitudes towards disabled people; and
- Encourage participation by disabled people in public life".

Much of that is related to the realm of employment and learning. Therefore, it can be seen from the document that the Department is working hard to address the issue.

I accept that we have much more work to do on the matter, and I have every confidence that the Minister and his Department will deliver for those children and young people with disabilities who depend on, and can greatly benefit from, training and employment provision.

Mr Attwood: I beg to move amendment No 2:
Leave out all after 'concern' and insert

'at the inconsistency of transition support and the limited choices available to disabled young people moving towards training and employment; and at the lack of mainstream training and employment opportunities that meet the individual needs of all disabled young people leaving school; and calls on the Minister for Employment and Learning to develop a strategic plan, in consultation with disabled young people and their parents, for the commissioning of services jointly with other relevant Departments and for the delivery of effective support.'

I welcome the debate, and I acknowledge the assistance provided to us by the organisations in the disability sector. I ask Sue Ramsey to reconsider the SDLP's amendment because the people who assisted me to draft the amendment did not do so for the sake of it. I take what they said as the best advice and I urge the House to do likewise. They would like to offer some further direction to the Minister in those matters. Therefore, in addition to developing a strategic plan, which is common to the motion and the amendments, the plan should be developed in consultation with —

Ms S Ramsey: The Member will appreciate that Sinn Féin proposed the motion because of its concerns at the lack of training places for disabled children and young people. This morning, I was faced with two amendments and, in my view, the SDLP's amendment is no different from the motion. I take on board the arguments that have been made by the Ulster Unionist Party. If the organisations that Mr Attwood referred to had concerns about the Sinn Féin motion, he could have come to me to work out an arrangement. Sinn Féin does not want to split the House on the issue.

Mr Attwood: I concur with Sue Ramsey that the issue is not one of division or contention. The House should not, and from our point of view will not, divide as the substance of the motion is not in dispute. However, people with knowledge of the disability sector, genuinely, and in good faith, looked to build on the substance of the motion to say that there should be consultation with disabled young people and their parents, and that services should be commissioned jointly with other relevant Departments. The Government need joined-up thinking and strategies when the disability sector in the North is being considered. Therefore, although the SDLP will not split the House on the matter, I urge all parties to consider that those directions to the Minister would be useful additions to the motion.

I am mindful that the disability community is diverse. There are different views on how to address the needs of children and young people with disabilities, particularly on whether they should be integrated into the workplace or develop opportunities in a separate environment. Each view has value and merit, but I will not start a debate on that. Rather, based on the advice that the SDLP has received, I wish to map out the issues of concern that my party believes exist in the disability sector. I shall address, therefore, the transition from school for young people with disabilities. I will highlight five areas of concern, to which the Minister, in due course, may respond, in writing if necessary.

First, in comparison to non-disabled young people, disabled young people face limited choices when making the transition from school. Based on SDLP Members' experiences in their constituencies, that is self-evident. Therefore, it is necessary to test the accessibility and relevance to young people with

disabilities of the opportunities that are available in vocational training, further education and higher education. As has been outlined, the Department has developed some good and sensible initiatives. However, those opportunities must be tested to determine their appropriateness for young people with disabilities.

Secondly, although the transition-planning process is set out in a code of practice, accessible information is needed on that process and on the choices available to young people. The delivery of a transition-planning process remains, in part, inconsistent. Such inconsistency is perpetuated by the lack of monitoring of the process across Northern Ireland. Ambiguity remains on the role of transition officers in the education and library boards. Therefore, the availability of information is critical in allowing disabled young people input into the process and in making them fully aware of the opportunities that are available to them.

Thirdly, the SDLP has been advised that there is no strategic plan on how to fund the specialist transition-support services for young people with disabilities, who require significant preparation and support in moving to adult life. Currently, support services are tied by funding to particular geographic regions or impairment-specific groups. Transition support should be universally available to all young people with disabilities, including those with complex and multiple disabilities.

The fourth area of concern relates to the report of the transitions interdepartmental working group, which was published in 2006. That was a welcome initiative but, in the view of some in the disability sector, it has not resulted in significant progress. They maintain that there appears to be little active cross-departmental collaboration or joint working. It is hoped that the ongoing review of special educational needs and inclusion may provide a vehicle for progress when its proposals are announced in 2008. However, at the moment, responsibility remains with the Department of Education, the Department for Employment and Learning, and the Department of Health, Social Services and Public Safety. They should review their roles in the transition process to ensure that disabled school leavers receive an effective service.

Finally, the Department for Employment and Learning has an ongoing responsibility to deliver a range of provision, including vocational training and employment programmes that support the economic independence of people with disabilities. The principal programmes, as has been mentioned, are Workable (NI) and Training for Success, which are in the early stages of delivery. Their success in meeting the needs of people with significant disabilities will be tested in the coming year. I suggest to the Minister and to the Committee for Employment and Learning that they monitor the new programmes as they evolve and develop over the next 12 months.

I will try to address other matters, particularly vocational training, during the course of the debate. However, for now, the SDLP will not divide the House on this matter. That would be an inappropriate mechanism to employ on a matter that will attract cross-party support. I suggest that, in the course of the remaining one and a half hours of the debate, each party considers that the motion could be enhanced by offering the Minister some direction on whom to consult, in and outside Government.

In that way, enhanced support for disabled children and young people could be better achieved.

Mr Spratt: I welcome the Minister's commitment on this important issue. I also thank the Chairperson of the Committee for Employment and Learning for proposing the motion. It is the responsibility of Members to ensure that we provide an education, training and employment framework within which everyone can achieve more independence and fulfilment in their lives.

Many disabled people in Northern Ireland believe that they do not have the same opportunities as able-bodied people. The Department for Employment and Learning must make the provision of such opportunities a priority in order to meet the needs of everyone in our society. The Department has set out the criteria that govern special educational provision in the further education sector in the Further Education (Northern Ireland) Order 1997. We are told that further education institutions must have regard to the needs of students with learning disabilities who are over compulsory school age. Furthermore, the Department states that provision for students with learning difficulties is a key element of the Government's drive to increase participation and widen access. On paper, the Department has the right mindset, but it is necessary to call for an immediate review to ensure that there is delivery on those words and that the necessary provision is in place for the community.

If we are to move forward with improved access, it is necessary that those colleges that are examples of best practice be used as models for others in the sector. There must be an increase in the provision of courses, with appropriate and nationally recognised accreditation. There is no doubt that the training is of the highest quality, and the commitment of staff in the further education sector is unquestionable. That is reflected in the general positive participation of students who have disabilities. However, we will push forward with staff training to ensure that there is an even higher standard of delivery in the future.

The provision of places is below the level required, and it is, therefore, important that an immediate review, such as this motion calls for, should be undertaken. The necessity and priority is to increase the employability, confidence and independence of those

who have learning difficulties and disabilities. That can only benefit everyone involved.

Members on this side of the House support the motion and amendment No 1, as proposed by Mr McClarty. We look forward to the Minister's undertaking a review and producing an action plan to tackle these problems at the earliest opportunity. I hope that there will be no Division on the amendments. I hope that all Members will unite and send out a message to those folks who are less fortunate than ourselves that we intend to better their position in future Committee deliberations. I know that the Minister will do everything in his power to address the issue, and we look forward to that. I support the motion and amendment No 1.

Mr McCarthy: No one disagrees with the idea that there should be more opportunities for training for disabled children and young people.

This is not only a matter of equality — which is a vital issue — but of economic necessity. Despite the Northern Ireland economy facing a shortage of skilled workers, too many people of working age are either on the unemployment register or are economically inactive. Disability Action Northern Ireland states that there are some 300,000 people with disabilities in Northern Ireland. Many economically inactive people want to work, but they need support to close the skills gap between what they can offer and the needs of business. The challenge in narrowing that gap is magnified for people with disabilities.

12.00 noon

Although I broadly support the motion, I am not sure that I can support all its provisions. For example, there is a risk that a review might last ages, cost millions of pounds and produce more recommendations that may — or may not — be implemented in the long term. For similar reasons, if an action plan is produced, it must be done within a tight timescale and remit. Although a short, focused project that leads to an action plan might have some benefits, this is not an area where there is any great mystery about what needs to be done. Action is needed rather than more glossy documents.

Moreover, this is not an issue that the Minister for Employment and Learning can tackle on his own. The Minister of Education has a key role, because of the importance of schools in providing training opportunities for children with disabilities and other young people. I hope that Sinn Féin is not phrasing the motion in order to provide political cover for one of its Ministers, who must play a vital part in advancing this agenda. The Department of Enterprise, Trade and Investment also has a key role to play in ensuring that training links not only with aptitudes and interests of young people but —

Ms S Ramsey: I was going to let the Member's comment about Sinn Féin pass, but the more I thought

about it, the more I needed to respond. If the Member reads the motion, he will understand that it is the Minister for Employment and Learning who must take the lead on this issue. There are other Ministers who have responsibility, such as the Minister of Health, Social Services and Public Safety and, as the Member stated, the Minister of Education. However, it is the Minister for Employment and Learning who provides training places for young people with disabilities. The Member must not focus on the Minister of Education.

Mr McCarthy: I thank the Member for bringing that to my attention. She acknowledges that I am saying that more than one Department has a vital interest in advancing the issue. The Department of Enterprise, Trade and Investment also has a key role to play in ensuring that training links with the needs of business as well as the aptitudes and interests of young people. It is wrong to raise the hopes of young people with disabilities — or anyone's hopes — by training them for jobs that do not exist. Instead of a lengthy review, there should be a highly focused strategy led by the Minister for Employment and Learning that also involves the relevant Ministers and their Departments.

Although the Alliance Party agrees with the substance of the motion — and I thank my colleagues from Sinn Féin for tabling it — it feels that a different approach is more likely to deliver improvements for children and young people with disabilities. We all want to see improvements. I support the motion and both amendments.

Mr Newton: It is appropriate that the motion is debated. My colleague Jimmy Spratt has indicated how DUP Members will vote — if that becomes necessary. People who suffer from disabilities in Northern Ireland need socially inclusive and sustainable alternatives to traditional, separate day services. Such people should be given full access to a wide range of community-based educational, vocational and social opportunities. That is not to detract from the valuable work that is being done, which I will mention.

Those who suffer from disabilities should not be disenfranchised and segregated. I support initiatives that promote person-centred planning methods; approaches that facilitate access to mainstream further education; and vocational opportunities that provide young people with real qualifications that have equal status to those acquired by their more able-bodied fellow students. It is the responsibility of the Minister for Employment and Learning to smooth progress and facilitate access to increased college-based learning support, and, therefore, the delivery of education and training for disabled children and young people.

I commend two organisations in the Province: the Cedar Foundation, and Ulster Supported Employment Ltd (USEL). The Cedar Foundation is an award-

winning organisation that works in partnership with community-based organisations, local institutes of further and higher education, training organisations, a range of statutory and voluntary organisations and, importantly, the private sector, to deliver the community inclusion programme. I urge the Minister to look carefully at the programmes that are in place due to the work of the Cedar Foundation — however limited they might be — and to increase the awareness of the needs of disabled people in the wider community and in further education.

The Committee for Employment and Learning was concerned about training and employment opportunities for disabled young people, and it invited representatives from USEL to give evidence at one of its meetings. I believe that Jimmy Spratt was in the Chair for that meeting, but I might be wrong. USEL has grown from what were originally workshops for the blind, and it has a long tradition in Belfast and throughout the Province. The organisation was invited to provide evidence on the work that it carries out. It has an excellent ethos and can-do attitude, and it provides manufacturing training and development opportunities to those with disabilities. The skills training provided by USEL offers those who gain expertise and knowledge to move outside of that organisation and into full-time private-sector employment. That gives the people dignity and responsibility, and enables them to prove their full worth in a competitive business environment, making them fully independent and appreciated members of society.

USEL is a charity, so although it provides manufacturing training, it is restricted in that it cannot apply for support from Invest Northern Ireland for its manufacturing training and development places, and it is, therefore, restricted in what it can offer. That obstacle was mentioned by USEL representatives in their evidence to the Committee.

The core focus of USEL is to assist its employees, and that is the ethos that Members have talked about. Examples that have been quoted by Members require us to think positively about how to address these issues. There will be different opinions on how that can be done, or how to provide the best service and opportunities, but Members' thinking must always be towards ensuring that the potential of the individual is maximised.

Mr Ross: The motion highlights an important issue: equal opportunities for those who have a disability. It is important to state that improvements have been made and that it is not all bad news, but that does not mean that further improvements are not necessary.

It is important that disabled people have the opportunity to further themselves and achieve greater independence and fulfilment in life. Good education and training opportunities are important for all children and

young people, particularly those who are disadvantaged by a disability. A sound educational start provides the best building block in life, and an incomplete or substandard education or training means that young people will have fewer qualifications and fewer job opportunities. Statistics show that disabled people are twice as likely as non-disabled people to have no qualifications, and there are fewer disabled people of working age in employment than able-bodied people.

We must also improve the retention in training of those disabled young people, and overall, there should be better skills training through the various Pathways to Work programmes, for example. Not all courses are available to people with a disability or learning difficulty although, through the learning support funds, students with a learning difficulty can participate in a number of mainstream courses. A sound learning support service should be attached to all those courses for students who require it, and staff need to be given specific training on special-education issues. Many teachers, lecturers and other staff have little or no training in special needs, which makes things difficult for them.

Efforts must be made to root out employment discrimination and reduce disability disadvantage in employment by ensuring that young disabled people are given the same opportunities as their able-bodied counterparts. As my party colleague Robin Newton said, the Committee for Employment and Learning recently had the privilege of meeting with USEL. That company has been around for over 40 years and is the largest employer of disabled people in Northern Ireland. It employs a disabled workforce that earns a proper wage and produces commercially competitive produce. As well as running its own factory, USEL supports more than 1,000 people with disabilities and mental-health conditions in hundreds of mainstream jobs throughout Northern Ireland. It is through that kind of practical support that disabled people can improve their employment prospects and live more fulfilling lives.

The Department's role must be to enable disabled people to get into employment, but more of them need to be in high-profile jobs. It is also important that when disabled people get jobs, they stay in them. Just as teachers and lecturers need more training in special needs, the same applies to employers. A key message from the Committee meeting with USEL was that employers need training and advice on how to deal with disabled employees and the different challenges and situations that may arise.

Today's motion is important because it highlights the issue, and I give my support to the amendment tabled by the Ulster Unionist Party in the hope that the whole House can unite behind it.

Mrs M Bradley: Members will agree that there are concerns for families from the day and hour that their young people are diagnosed with a disability and that frustrations are abundant throughout the education of those children. The decision to fight for the education of a son or daughter in a suitable establishment is not an easy one to take. Nonetheless, there is often a sense of relief for many parents when their children are finally accepted into the system even though, due to underfunding and ever-increasing demand, it is constantly in financial dire straits.

For many years prior to my participation in politics, I worked with young people and adults with learning difficulties and various disabilities. I worked as a carer in a purpose-built hospital, which was one of the first of its kind in the Western Health and Social Services Board area. I witnessed, at first-hand, the desperation and determination of individuals to lead a normal life in a society that was very difficult and not accepting. Help was needed then to promote acceptance; and, unfortunately, in today's financially restrictive health and education services it is even more important to provide a vehicle for the personal development of each disabled person.

At the weekend, I had a phone call from a very proud mother telling me how her daughter had won two gold medals and two bronze medals at the Special Olympics in Shanghai. That parent's pride was palpable, and I have no doubt that that was one of the proudest moments of her life.

Unfortunately, if the general rule of natural law is played out, parents will predecease their children, which is the next worry for a parent after having secured education for the child or young person. The question: "How will they cope after I am gone?" has been asked by many of the parents I have spoken to and worked with over the years.

In order to ease that burden, young people must become as independent as possible, particularly those without siblings — they should be able to cope with day-to-day tasks without the active supervision of a carer.

In today's society, it is even more important that the threefold spectrum of requirements and expectations is acknowledged by all Departments, and each should participate in achieving the aims and objectives of each interested party. So, who are the interested parties?

According to research carried out in my area by one of the north-west's most proficient special-needs establishments, the interested parties are the parents, the service providers and, most importantly, the young people themselves. There can be no more powerful vehicle for achieving fulfilment than that which lies — sometimes dormant until provoked — within all disabled young people.

12.15 pm

Those young people have told us, in a paper presented to the Special Olympics international symposium on disability, that they want to be allowed to stand on their own two feet, but they want support to try different things until they get the right job or the home that is best for them. We can see that happening in many of our bigger retail establishments, where it is obvious that there are members of staff with disabilities. However, those disabilities are lost in their sense of achievement and acceptance by their fellow workers as contributing individuals.

Where do we go, and what must be done, to help young special-needs individuals to achieve and exist as independent members of society? They say that they want partnerships between agencies, and that parents should work together to assist them in achieving their goals. They also want the creation of more opportunities to allow them to enter the workforce at an acceptable level, if that is applicable and beneficial for them. There is a need for greater encouragement and funding of transitional projects and an increase in the support networks that already exist.

All Departments should acknowledge that the right to say yes or no is a fundamental right of any individual. The right to control their future and to become a fully participating party in any transitional planning process is a big issue for any young disabled individual. They also need support and assistance, not to be controlled and cared for in departmental terms.

I could list many more requirements that those young people have. However, they cannot get the help that they need without the assistance of their families, teachers, classroom assistants and interdepartmental workers, who strive to provide for them, even when funding is consistently cut and school places limited.

I hope that the motion has prompted a great deal of thought among us all. I hope that, when we leave here, this will not be just another debate, but that we will see some action, and not just promises from the teeth out.

I support the motion and both amendments. I welcome the Minister for Employment and Learning to the Chamber, and I hope that the other Ministers who hold the budgets for our children will be generous in looking after them.

Mr Shannon: I thank the Members who tabled the motion and the amendments. I hope that Members can unite behind the thrust of the proposal. I will be supporting the amendment from the Ulster Unionist Party.

In 2003, DEL (Department for Employment and Learning) produced statistics that showed that over 20% of working-age people in the Province had a disability, whether physical or learning. Ten and a half

per cent of the 18 to 30 age group have disabilities, and yet they come nowhere near that number in higher and further education. That is a startling statistic. There are those with moderate learning difficulties who can seek employment and fulfilment in skills that are more practically focused, rather than literary subjects. That is one field that DEL must begin to put time, effort and money into developing.

A major skills pool is lacking, and apprenticeship applications are down, meaning that there are fewer young people to fill that gap than there were a few years ago. The situation is getting worse. A young man in my constituency consistently misbehaved in class and was thrown out of more lessons than he sat through. After much pressure from his parents, it was found that this was happening because the boy had a learning disability. That frustrated the boy, and his frustration was acted out through bad behaviour, resulting in him being placed in many schools — and he was moved from a brave few. His parents pushed and persisted, and their son was taken out of mainstream education and enrolled on a vocational course. He began his training as a joiner, and in his first year he was named joiner of the year in his class. That is a success story, and there are many similar success stories that could be repeated many times if DEL would give young men and women who do not excel with words and numbers the chance to excel with their hands.

Vocational skills are just as important to any nation as learning skills, and the lack of young people applying for those apprenticeships to foster skills is very worrying. After being approached by parents who felt that their children would do better in vocational education than academically, I asked the Minister about the number of apprenticeships in the manufacturing industry available in Northern Ireland for the past three years. The answer may not have been what I was looking for.

Statistics for Ards Borough Council or for the Strangford constituency were not available. However, the answer showed that the number of apprenticeships fell from 1,027 in 2004-05 to 988 in 2006-07. Given the need for skills in the Province and the amazing difference that a successful apprenticeship or a new skill can make to the life of a young person who may have consistently failed in the three Rs, I do not understand why those figures fell.

Recently, I met David Hatton of the Engineering Training Council who told me that, 10 years ago, there were 1,000 applicants a year for apprenticeships. That figure has dropped dramatically to between 250 and 300 a year. I have digressed slightly, but that is a worrying drop in the number of young people applying for apprenticeships, and an aggressive approach must be adopted before a point of no return is reached. I could say much more on the subject of apprenticeships, but I will leave that for another day.

I wish to draw Members' attention to the success that has been achieved in my constituency by those with learning difficulties and disabilities. There are many charity shops in Ards town that not only donate their profits for the help and betterment of others, but play an active role in encouraging people with mental disabilities to take jobs, such as looking after a book section or sweeping the floor. Those jobs may not be big, but they are jobs and, importantly, they give those people a start. Jobs enable those employees to gain confidence around other people. Often, confidence is what they lack. Employment offers those people a chance, and the employer gains a willing helper. DEL should be working to enable more young people to undertake those types of activities — that is its remit, and it is not doing enough to accomplish it.

The Minister and many Members are aware of the example of Daisies Café at Ards Hospital, in which disabled young people have been given the jobs of baking, and serving tea and coffee. That is a café that, regrettably, my waistline knows well. My colleague Iris Robinson takes a special interest and visits that café regularly. Obviously, she does not eat the food that I do.

Mrs I Robinson: It does not show.

Mr Shannon: It just shows on me. That café has had success after success in training young people and enabling them to go on to further jobs.

My colleagues will present statistics that outline how the Department has not been keeping up to date. However, I urge the Department to recognise that current standards are insufficient and to step up its efforts — sort out an apprenticeship scheme, become more involved in organising placement schemes and assist young people with activities to better themselves and the community in which they live. Members have seen the results of such efforts — it can be done, and, therefore, I urge the Department to act now. I support the thrust of the motion and the UUP amendment.

Mr Speaker: Members will be aware that the Business Committee has arranged to meet as soon as the Assembly suspends for lunch. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, and to return to the debate after lunch.

The sitting was suspended at 12.23 pm.

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

2.00 pm

Mrs I Robinson: The subject of the motion overlaps with some of the responsibilities of the Department of Health, Social Services and Public Safety, and that is what I want to highlight. Objective 3 of the report 'Equal Lives: Review of Policy and Services for People with a Learning Disability in Northern Ireland', which is part of the Bamford Review, is:

"To ensure that the move into adulthood for young people with a learning disability supports their access to equal opportunities for continuing education, employment and training and that they and their families receive continuity of support during the transition period."

Sections 5.7 and 5.9 of the report detail the need for better provision in further education and employment for those who have learning disabilities.

My colleague Alderman Jim Shannon has already mentioned a success story in my constituency that is worth highlighting as having a particularly thriving outcome. Daisies Café, which is situated on the Ards Hospital site, provides an alternative form of day care for people with learning disabilities and mental illnesses through training and employment opportunities in a commercial environment.

The staff of Daisies Café take pride in providing its many regular customers with freshly cooked food using only the finest and freshest ingredients. That description may sound like an advertisement, but I hope that Members will bear with me. A different menu, developed to meet the needs and preferences of customers, is available daily. A wide range of food is available to corporate customers for business meetings and events, as well as for meetings of clubs and other organisations. Daisies Café has extended its programme of work to include outside catering for parties and occasions.

Behind the enterprise was a vision of providing alternative day care, training and employment to help those who otherwise may not have had the opportunities to gain the skills, self-belief and confidence that they need to take their place in the community as equals.

In 1999, the statutory and voluntary sectors worked together under a peace-initiative project to identify an alternative to day care in Northern Ireland. The aim was to provide opportunities for day care as well as training and employment in the community for people with a learning disability or mental illness. Social firms already in operation in Europe provided several useful examples. A social firm is an ordinary business that provides goods and services under normal business terms and conditions. The fundamental difference is that a proportion of its trainees require a carefully planned, supportive working environment because of mental ill health or other disabilities.

Extensive research that included visits to Finland, Holland and Germany was undertaken to develop a model that was suitable for Northern Ireland. Discussions were held with service providers, staff and trainees on trading, recruitment, and training as well on as the roles of directors and staff. A proposal was drawn up and shared with the local health and social services trusts as a new concept in day care for adults who require support to access the labour market.

The development of the proposal coincided with a greater public awareness of equality issues and a growing demand for acceptance and social inclusion of people with learning disabilities or mental illnesses. A suitable location was found on the Ards Hospital site, and extensive renovations were carried out to satisfy the rigorous building and environmental health regulations that must be met by all catering facilities.

Action Mental Health and the Ulster Community and Hospitals Trust led the partnership that developed Daisies Café. Other organisations have provided ongoing and critical support to ensure its continuing success. In particular, the Ards and North Down peace partnership boards have enabled Daisies to become a successful social firm that contributes to the local economy and provides day care, training and employment for residents of both boroughs.

Daisies Café has won awards for its service and business achievements, and it was showcased at the Tate Modern in London as part of The National Lottery's tenth birthday celebrations. Over the seven years that Daisies Café has been in existence, the number of permanent staff has risen from two to five and the average number of trainees to 15.

Its success shows what can be achieved when the needs of those with learning disabilities are taken seriously and they are assisted to live fuller lives.

Mr Deputy Speaker: I expect Daisies Café to have an influx of new customers after that, and, indeed, I hope that it does.

The Minister for Employment and Learning (Sir Reg Empey): I thank the Members who have taken the trouble to take part in this debate and to make their points. The tone of the debate has, so far, been very constructive, and as Mrs Robinson mentioned, there are cross-cutting issues. This is not a stand-alone issue for one Department; a number of Departments are involved, and it is important, therefore, that, as far as possible, a joined-up approach is adopted. I wish to set out some points, and then deal with the issues that have been raised by Members.

My Department is committed to the provision of appropriate training and employment opportunities for disabled young people and adults. The aim of the Department for Employment and Learning is to promote learning and skills, to prepare people for work, and to

support the economy. Its remit includes the provision of training to prepare young people and adults for employment and to help people, including young disabled people, to overcome barriers to work.

The Department is also responsible for the provision of impartial careers information, advice and guidance for young people and adults, with a particular emphasis on 14- to 19-year-olds and those vulnerable to social exclusion.

The Department makes, through its Disablement Advisory Service (DAS), a substantial list of provisions. It currently funds a range of training and employment provision. Those include the job introduction scheme; New Deal for disabled people; Access to Work — that is, Workable (NI); Ulster Supported Employment Ltd; residential training at Parkanaur College; the condition management programme; and the work preparation programme under Pathways to Work.

The careers service also works with young people in schools. In particular, the career advisers attend transition-plan meetings for year-10 pupils with special educational needs and provide subsequent annual reviews. They work with a range of professionals and contribute to the transition plan by providing impartial information, advice and guidance on the range of educational, training and employment opportunities that are available.

Training for Success, a professional and technical training provision for Northern Ireland, commenced on 3 September 2007. The focus of that new provision is firmly on the individual young person and his or her needs and aspirations. Training will be flexible in duration to meet the needs and abilities of the young people.

The Department is committed to endorsing flexibility in respect of the training time permitted to enable young people with disabilities or additional needs to realise their full potential and to achieve targeted qualifications.

The new provision includes a job-ready strand, which is designed to enable participants to progress to higher-level training, further education or employment, by providing training to address personal and social-development needs, where necessary, including essential skills training. Additional specialist support services are available to any participant with an auditory, visual or other physical disability.

I have decided, because of my commitment to those young people, that a group with expertise in dealing with young people with disabilities and additional support needs will be established. That group will keep the Training for Success provision under review, and highlight any areas to be addressed — I know that a

number of Members called for that. I have some other measures to announce during the course of my remarks.

The Department is also committed to improving access to further and higher education by students with learning difficulties and/or disabilities. It provides funding for further education colleges to support the enrolment of students with learning difficulties and/or disabilities on mainstream courses. Funding for such students is incorporated in the further education funding stream mechanism. That ensures that colleges are able to meet the cost of students with disabilities who may require an extra level of support.

As part of the Further Education Means Business review of funding, the Department, following consultation with the further education sector, agreed to ring-fence funds to ensure the sustained provision of education to students with learning disabilities who require a discrete learning environment. The funding of £1.5 million in the current academic year is an increase on the previous year's £1.2 million. That increase is to allow the colleges to address specific issues that were raised during the consultation, such as the need for additional classroom support in discrete classes.

An additional support fund has been increased from £1.1 million to £1.5 million in the current academic year, and that is available to provide further technical and/or human support, such as brailers, specialist software and signers.

Further education colleges collaborate with adult day centres to provide discrete training and development opportunities for young people aged 19 and over who have left special schools and who might benefit from further educational provision. However, further education colleges cannot provide the close supervision, nursing or other personal care that some young people with disabilities require.

In 2005-06, the number of students aged between 19 and 25 with learning difficulties and/or disabilities who were enrolled in further education increased by 751, compared to the 2001-02 academic year. There are now 1,549 such students and, of those, 693 — 45% — are taking discrete courses, and 125 — 8% — are on courses that are delivered in such places as day centres. The remainder are in mainstream further education classes.

The Department, in co-operation with the Association of Northern Ireland Colleges (ANIC), is currently undertaking a review of the nature and extent of special-needs provision throughout the further education network to determine how provision might best be improved in the context of the further education remit. That matter was raised by some Members during the course of the debate. That review, with the co-operation of ANIC, will enable us to continuously assess how things are going, because the cohort with which we are dealing will have different

needs as we progress. The same provision will not be required at all stages — those needs will change, depending on the students who are coming forward.

As for higher education, the Department makes funding available for the disabled students' allowance, which is administered by the education and library boards. The disabled student's allowance helps to pay for extra costs that students may incur while studying, as a direct result of their disability, mental-health condition or specific learning difficulty. Those allowances can help with the cost of a non-medical personal helper, items of specialist equipment, travel and other course-related costs.

Through the disabled student's allowance, the Department funds the register of support providers, which is a register of professional and non-professional support workers who are recruited and trained to assist students with disabilities. The register, which is administered by the University of Ulster, is available to all disabled students in the universities, university colleges and further education colleges with higher education provision.

The Department also funds the Let's Work project at Queen's University, Belfast, which is aimed at students and graduates with a disability. A specialist careers adviser offers individual careers guidance and information sessions, supports access to work placements and part-time work, and provides workshops on job skills and options after graduation.

Moreover, the Department pays the universities a widening-access premium for students with disabilities. That is based on the number of full-time undergraduate students in receipt of the disabled students' allowance.

Capital funding must be mentioned. Since April 2000, the Department has allocated over £14.5 million to colleges to improve access for young people with disabilities. In 2006-07, that amounted to £943,000 and, in the current year, £1 million has been set aside with that specific aim. In addition, over the past three years, the Department has made available an extra £12.1 million for further education colleges, and some of that funding is being used to provide additional auxiliary aids and services, as well as extra staff training.

2.15 pm

Special support services are available to young people who have an auditory, visual, or other, disability. Financial support of up to £1,000 is available to suppliers, enabling them to buy specialist support. The Department refunds the cost of taxis to and from a supplier's premises in those situations where it has been decided that public transport is unsuitable for a young person who has a disability or additional needs.

Twelve projects receive a total of £8.9 million of European social fund assistance. That funding will last

for two years and will end in March 2008. It was awarded through open competition to projects that have limited funds. Three of those projects — Barnardo's, Disability Action Northern Ireland and Triangle Housing Association Ltd — are aimed specifically at young people who have significant learning disabilities. Assistance to those projects totals £830,000.

I will deal, in no particular order, with specific matters that Members raised. Although he is not in the Chamber, Jim Shannon mentioned apprenticeships. The Department does not limit the number of apprenticeships that are on offer: numbers depend on employers' uptake of training for their own employees. The uptake for Training for Success is about 90% of that for Jobskills at the same time last year. We expect that uptake to pick up in the next three months, and we are initiating additional marketing campaigns to promote professional and tactical training and apprenticeships.

Mr Newton, who, I also regret to say, is not in the Chamber, mentioned Ulster Supported Employment Ltd (USCL) and The Cedar Foundation. I intend to meet representatives of the foundation in the next week or two, and I visited USEL's workshops in Belfast a couple of weeks ago. I was immensely impressed, and even moved, by the work that goes on there. Excellent products were being made. People had worked there for a long time, it was the centre of their lives, and they were doing an excellent job. I do not know whether the Committee has visited USEL's shops yet, but I urge it — and other Committees — to do so. Members would be very impressed were they to see USEL's work in action. Indeed, that organisation has some excellent plans.

Given that USEL is a non-departmental public body, my Department is its core funder. That is the reason that it has no access to Invest NI funding. However, perhaps the Minister of Enterprise, Trade and Investment and I can discuss that.

Several Members referred to the transition into employment from school. The Department had 14 actions on which it was supposed to follow up. I received a report on those on 3 September, and, after reading it, it seemed that two of those actions had not been provided for fully. Action has, therefore, been taken to ensure that we meet all our targets and that we follow up on all the actions on which we are required to move. I am optimistic that within a short time we will be in a position to describe fully how we will implement that report.

When moving his amendment, David McClarty spoke about how we treat people in our society. The relative unanimity of the debate indicates that Members believe that a society is marked out by how it treats those who are less fortunate and those who are disabled. Listening to Mary Bradley's contribution, it is clear

that she has had hands-on experience of the matters that are being debated. One could not help but feel the strength of passion in what she was saying.

In moving the motion, the Chairperson of the Committee for Employment and Learning referred to several matters, including European funding and the review of training in the voluntary and further education sectors. That review will take place, and I have authorised it already.

Alex Attwood referred to the appropriateness of some of the provision and to what he regarded as inconsistencies in it. Those comments are of concern to me, because my Department prides itself on ensuring that, no matter where people live in Northern Ireland, they have as much access as possible to services. We could all have been in different places or been born into the world with disabilities, so where one lives should not be a barrier.

As I have said, we are looking at the transport issue. I take on board what the Member says. I shall look at it and decide whether the Department is satisfied that there is consistency. There is certainly supposed to be, because, when we provide funding to colleges and other bodies, we expect that to be the case.

Jimmy Spratt talked about the provision of opportunities being a priority, and that is the rationale behind what we are trying to do.

Mr McCarthy said that a review could take ages and cost millions, but I can assure him that neither will be the case. Reviews are ongoing. There will always be reviews, because, as I have said, the cohort that is coming through at any point in time changes. What we fix today in order to achieve a balance will not necessarily survive a change in the make-up of the cohort that requires help. I will inform the House of the outcome of the reviews, and the Committee for Employment and Learning may wish to include the matter in its work programme in due course.

Robin Newton mentioned access to mainstream further education for disabled children and young people. In so far as we can encourage that, we shall. However, we must take account of the fact that, sadly, some of the folk who are coming forward require such extensive help that qualified medical help must be made available. That is why we take places in Parkanaur College; there are 15 residential places there, which ensures that people have their physical needs properly catered for.

It is not always possible to incorporate disabled students into mainstream further education, but one would wish to do so if it were possible. I think that the word "segregation" was used during the debate, and that is a word that we want to try to avoid. However, there are cases in which specific, qualified people are required to look after those young people.

I shall give Members one final piece of information in which they will be interested. In providing training and employment support, the Department is making every effort to give young people the best chance. I am pleased, therefore, to report that the Department is currently offering extensive support in this area. I dispute the suggestion that there is a "dearth" of provision, because, as far as the Jobskills programme and other initiatives are concerned, there is no limit on the number of places.

However, I agree that it is vital to ensure that provision meets the needs of particular client groups. For that reason, an expert group has been set up to keep the Training for Success initiative under review. Moreover, the Department has already begun work on commissioning a scoping study to ascertain the full extent of the Department's current provision for disabled young people and adults. When that study is completed, any gaps in provision of training and employment opportunities for disabled young people and adults will be identified. Consideration will then be given to how those gaps can be plugged.

I will endeavour to keep the Assembly involved, and I hope that the announcements that I have made about reviewing provision will satisfy Members that my Department is taking the matter seriously.

Mr Attwood: I thank the Members who contributed to the debate. There were 10 contributions, and I cannot do justice to the range and quality of those contributions in five minutes. I particularly welcome the Minister's announcement on three issues: the scoping study; the review involving ANIC; and the expert group that will consider, among other things, how the Training For Success programme is working for those who are the subject of the debate.

I say to the Minister, and this point was touched on by Alastair Ross, that there are a number of requirements needed to ensure that the Training For Success programme for young people with disabilities measures up. Those requirements include the need for in-service training; achievable goals; communication support; extended training time; and the need to ensure that training providers are providing quality of opportunity and access. We trust that the expert group, which will monitor how those issues develop, will consider some of those requirements.

A number of broad themes emerged during the debate. Jimmy Spratt, Robin Newton and Iris Robinson invoked best practice in the further education and commercial sectors; for example, in a place such as Daisies Café. USEL, more than others, certainly to the knowledge of the Committee for Employment and Learning, has achieved a lot in rolling out best practice. The Minister said that he visited USEL last week, and I understand that the Committee also intends to make a visit. USEL's presentation to the Committee, concerning its

contribution in rolling out best practice to the further education and broader sector, was compelling and uplifting. I trust that that aspect can be worked on and developed over time.

Mary Bradley and Jim Shannon relied on providing examples of young people with disabilities having excelled and achieved great things. I trust that in one way or another the Assembly, or OFMDFM, will take appropriate steps to acknowledge the achievements of the Special Olympians from across this island, who have been in the press so much over recent days. Those who excel in business, sport or enterprise are role models to whom all of us should aspire.

Kieran McCarthy was right to put down a firm marker as regards a tight timescale, and I note the Minister's reassurance on that issue. As Kieran said, there is no mystery about what needs to be done. I do not know how true that is; nonetheless, tight timescales and firm deadlines are appropriate in order to try to maximise opportunities for people with disabilities.

In opening the debate, David McClarty said that one third of people with a disability are not in work. That is something that should always be to the forefront of Members' minds. That hard cold fact should be the impetus for the Minister, the Assembly and the Committee for Employment and Learning to take forward all the matters that have been discussed today.

There was one discordant note during this debate, when it was stated that the SDLP's amendment was:

"an amendment for an amendment's sake".

For the record, our amendment was informed by people from the disability sector. They certainly were not thinking that the amendment was being tabled simply for the sake of it. However, when judged in comparison with the UUP's amendment, I suggest that our amendment adds to the motion, whereas the UUP's amendment, arguably, takes away from it. That in itself demonstrates the quality of our amendment.

However, as I said earlier, it is not our intention to divide the House on an issue of this nature and given the range and quality of Members' contributions. I look forward to the Minister updating the Committee and the Assembly on a rolling basis regarding the matters that he has announced this morning.

2.30 pm

Mr McCallister: In this debate, we are dealing with a vulnerable group, along with their carers and parents, who deserve our support and regard.

Much has been done by further education colleges and their staff. It is important that we pay tribute to their work.

I reject what Mr Attwood said. The UUP's main focus in tabling the amendment was to broaden the debate and not lay all of this on the Department for Education and Learning. I will go into that later.

As has been mentioned by most of the Members who have spoken, there are many groups and community and voluntary agencies that should be involved in addressing this very important issue. All those involved in working for and caring for these groups deserve our thanks, and we give them credit.

I wish to place on record my thanks to Ms Ramsey, the Chairperson of the Committee for Employment and Learning. This is a vital issue. The Assembly has faced criticism over some of the issues that it has debated in recent weeks. However, one had only to listen to the debate: with a couple of exceptions, there has been unanimity on the way forward. Ms Ramsey spoke about real difficulties, such as limited opportunities, lack of choice, low rates of participation, and lack of co-ordination between Departments and agencies. Disabled people are four times more likely to be unemployed than able-bodied people. Those are all important facts that must be addressed.

Mr McClarty had to attend another meeting and made his apologies to the House. He opened his remarks by saying:

"The true test of the value of a society is how much care it takes of its weakest and most vulnerable members."

He went on to outline some of the work that, thankfully, is being done.

With respect to Mr Attwood, my party feels that its own amendment has struck the right note with the Members present. However, I agree with Mr Attwood that the House should not divide; this issue is far too important to be pushed to a Division. Mr Attwood was concerned about the delivery of training, and rightly so. He went on to mention the role of the Department of Health, Social Services and Public Safety.

Mr Spratt used some phrases about having to get to a stage of having more fulfilled lives. That is a key point. He also supported the review.

Mr McCarthy said that there are 300,000 people with disabilities, so it is an economic necessity to get this right. They must be supported, and the skills gap must be closed. I agree with him on that. There was a note of discord, however, when Mr McCarthy questioned why the motion and the amendments had been tabled. It was unfortunate and unhelpful that he brought that up. On the whole, his remarks were much more positive.

Both Mr Newton and Mr Ross mentioned USEL and the creation of partnerships involving not just Departments and agencies, but the community, voluntary and private sectors. It is important to create employment in commercially competitive companies.

Mrs Bradley mentioned concerns about personal development. Mrs Robinson referred to the Bamford Review. It is worth reiterating two points about the review.

Mr Deputy Speaker: Order. The Member must draw his remarks to a close.

Mr McCallister: I want to thank Members for their support of my party's amendment and the proposers of the motion for their acceptance of it.

Mrs McGill: Go raibh míle maith agat, a LeasCheann Comhairle. At the outset, I want to mention that I am closely related to two young people who have physical disabilities — two young people who have achieved and of whom I am proud. I thank Minister Empey for his presence throughout the entire debate. I was heartened by his comments.

There are two amendments to the Sinn Féin motion. I want to turn to the SDLP's amendment. My party colleague, Chairperson of the Committee for Employment and Learning, Sue Ramsey, and I listened to Mr Attwood's remarks during the earlier part of the debate. I reassure him and Mary Bradley that all the points that are included in their amendment will be given due cognisance by the Committee if the Minister agrees to the review. If the Minister brings forward terms of reference, they must be examined by the Committee. In view of the debate and wider participation, which is important at all levels, I do not want Mr Attwood to feel that the points that have been raised in his amendment have been ignored. That would not be the case. Both he and Mary Bradley can be assured of that.

Sinn Féin accepts the UUP amendment. When Mr McClarty moved the amendment, he referred to Pathways to Work and the positive contribution that that programme has made towards getting disabled people back to work, or, perhaps, into work for the first time. Coincidentally, I attended a departmental seminar on Pathways to Work in Omagh yesterday. Officials from the Department for Employment and Learning and, indeed, some of their colleagues from the Department for Social Development were present. I found it extremely valuable. It is clear that a lot of good work is being done. There is no suggestion in the motion or either of the amendments that that is not the case. The Minister referred to that in his remarks.

Mr Newton, Mr Ross and the Minister referred to USEL. I happen to know the chairman of that organisation, with whom I spoke yesterday evening. He made several valuable points, which, interestingly, were raised by my party colleague Sue Ramsey and other Members in the Chamber. He referred to the lack of choice that is available to disabled people. They must have the same options as able-bodied people. I was glad that the Minister said that the review would be ongoing and that it is important that through the Training for Success programme, disabled people have the same opportunities and choices that are afforded to others.

I was interested in Mr McCarthy's comments about the cost of a review.

None of us wants to spend money foolishly. I am completely confident that Minister Empey — with his background — will not be foolish with the funds. If we have this review, the terms of reference will be scrutinised by the Committee for Employment and Learning. I do not expect that any Member would sit there and not challenge the spending of money foolishly by any Department.

Mr Shannon and Mrs Robinson referred to a particular café, and the points that they made about it are valid and valuable. They reminded me of something that the chairman of USEL said to me last night, which was that the social benefits of work are sometimes overlooked. It is extremely important that people with disabilities, and people who do not have the same opportunities as everyone else, engage and interact with others in the workplace. It is a positive act. Yesterday, at the Pathways to Work seminar, that point was made by people from DEL. Therefore, there is a bit of joined-up thinking here. Of course, that is all very welcome.

The Minister has made reference to an ongoing review of ANIC. That is valuable, because ANIC and the further education colleges have a very important role in the matter. I expect that, if that review is ongoing, its results will be put before the Committee for further scrutiny. The Minister also referred to capital funding for the improvement of access to the colleges. That is also important. I know that there have been improvements in all of this in recent times. Again, that is welcome. The fact that there will be an ongoing review, and that everybody will be keeping an eye on it, is very valuable.

In concluding, I want to say that the debate has been very valuable. When I think of two of my relatives, I want to reassure anybody who thinks that some of us do not engage with disability groups that that is not the case. We do engage with them. We have close experience of it. Again, for those who feel that that might be the case, I reassure them that it will not be. Sinn Féin accepts the amendment from the UUP. However, all that has been raised by the SDLP will be taken on board. Go raibh míle maith agat.

Mr Deputy Speaker: Before I put the question on amendment No 1, I advise Members that if amendment No 1 is made, amendment No 2 will fall.

Question, That amendment No 1 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly expresses its commitment to securing training and employment opportunities where appropriate for young people with disabilities; and calls on the Minister for Employment and Learning to review the provision of such training.

(Mr Speaker in the Chair)

2.45 pm

MINISTERIAL STATEMENT

The Future of the Conflict Transformation Initiative

Mr Speaker: I have received notice from the Minister for Social Development that she wishes to make a statement on the conflict transformation initiative.

The Minister for Social Development (Ms Ritchie): As Minister for Social Development, I have been reviewing the programme funded by my Department known as the conflict transformation initiative (CTI). As Members can appreciate, there has been considerable public interest in that initiative and in my Department's position in relation to the continuing funding of the programme.

On taking office, I made a pledge in the Assembly to the people whom we represent. That pledge requires me to promote the interests of the whole community. It is not only the guiding premise of my contract with the people who put me here, but it is the benchmark and standard of what is expected of me and of all Ministers in the Executive.

As Members will know, this initiative was established under the previous Secretary of State, Peter Hain, during the tenure of my direct rule predecessor, David Hanson. From the outset, considerable concern was expressed across the entire spectrum of political opinion about the rationale behind this project, its proximity to an illegal terrorist organisation, as well as its monitoring, evaluation and fairness. Indeed, with the benefit of hindsight, it appeared to many to have been very hastily introduced before devolution returned.

Before returning to the context of the programme, I want to point out that any initiative that targets socially and economically deprived hard-to-reach communities will have worthwhile aspects. The legacy of our violent past has left many of the most disadvantaged people in the grip of paramilitary activity. Therefore, I recognise the need for creativity and flexibility in the provision of such programmes. I am therefore putting on record my confidence in the Farset organisation as a managing agent for a programme funded by the Department for Social Development.

It is important, at this stage, for Members to understand the distinction between the role of Farset Community Enterprises as a managing agent and the return expected from those at whom the initiative was

specifically targeted through the actual programme. That distinction is important because there has been much misinformation circulating in relation to my view on the role of Farset Community Enterprises. There has also been the deliberately misleading suggestion that CTI was simply about targeting social need and not connected to a reduction in criminality, paramilitary activity and violence by the UDA. Those who initiated this programme, and those who were to benefit from the programme's outreach, knew full well from the start what was expected from them.

Notwithstanding the problems arising from the hurried nature of the introduction of CTI by direct rule Ministers, it is a matter of record that, at the time, both Secretary of State Hain and Minister Hanson expected that that funding would lead to, in Minister Hanson's words:

"a quickening in the pace of"

decommissioning.

They also pointed out that that funding would be stringently monitored and reviewed for evidence of progress and breaches. It was very clear that progress was contingent on good faith throughout.

In my view, this initiative was risk-prone from the very start, as it appears that the political will never existed in the direct rule Administration to see through the implementation of penalties, even if the UDA defaulted through continued involvement with criminality, violence and paramilitarism.

Every Member of this House is aware of the circumstances that led to my announcement on 10 August 2007, and, in particular, the assessment of the Chief Constable, following the violent incidents in Carrickfergus and Bangor, who said that he would not give the UDA 50p if the violence that we witnessed was an example of the return on our investment. Indeed, at this stage, I would like to put on record my personal appreciation for the efforts of the PSNI in trying to manage an escalating and difficult situation, which has been brought about by the continued involvement of various UDA factions and their internecine violent feuding.

I would also like to convey the best wishes of the House to the constable who was shot in the back during the incidents in Carrickfergus, while trying to uphold law and order. I would further like to express my admiration for the people of Carrickfergus who spoke so powerfully about their experiences on the radio this morning.

Some Members: Hear, hear.

Ms Ritchie: It has been my hope that our new Administration would adopt a significantly different approach to that of the direct rule Administration by ensuring that the integrity of our institutions was safeguarded, and that it would recognise the supremacy

of law and order. That is still my hope. By setting a deadline for the UDA to begin meaningful engagement with the Independent International Commission on Decommissioning (IICD), and make a start to decommissioning, I wanted to support not only the Chief Constable in his attempts to make our streets safer, but to remind everyone of the background to this project.

I had hoped that the UDA would use that as an opportunity to draw a line under its unlawful activities, and its use of violence, which has ensnared entire communities in its grip. The UDA could have grasped that opportunity by responding to the will of the vast majority of people in Northern Ireland and demonstrably starting the decommissioning process.

In the past few weeks, the UDA has met again with the IICD. We are told that there are those in the UDA who have tried to engage more meaningfully with General de Chastelain than they have over the past two years since commencing talks with the commission, or over the past 13 years since the UDA first called its ceasefire in 1994. I welcome those moves, but the context of Northern Ireland — politically, economically and socially — has shifted so positively over the past 12 months that the onus is now on the UDA leadership to deliver fully on its responsibilities to the entire Northern Ireland community.

Those who live in communities in which the rod of paramilitary rule still reigns are often among the most disadvantaged and poorest in society, whose dreams are being trodden on by an organisation that has not recognised that the world has moved on.

Over the past number of months, I have considered carefully what the Chief Constable and his senior officers have said. Following each of the outbreaks of violence, I have listened to the comments of the First Minister and other elected representatives of the affected areas, and I have consulted widely.

I offered a CTI options paper to my Executive colleagues in early July. They indicated that they were content for me to decide the way forward on this challenging issue. I have studied intensely the recent reports of the Independent Monitoring Commission, and I have met and spoken with a broad range of interested parties, including highly-respected and well-meaning intermediaries, locally elected representatives, British and Irish Government Ministers, community organisations, General de Chastelain, and, indeed, the UPRG (Ulster Political Research Group) and the UDA. I would like to emphasise to the House that, on each occasion, I listened very carefully to what was said, and factored that into my overall thinking.

More importantly, perhaps, I have been out and about, visiting people in some of the areas that have been targeted. Although I can appreciate the difficulties of programmes aimed at conflict transformation, it is

not surprising that the people who live in the estates at the receiving end of paramilitary violence and dominance were united in their view.

They felt that, no matter how well intentioned, the CTI initiative was being undermined by the continuation of violence and paramilitary attacks and was not delivering what was expected of it. I should add that I was delighted personally by the warm welcome that I received from the people in those disadvantaged loyalist areas. Whatever can be said about CTI, I will not abandon those neighbourhoods. The views of people who live there are shared by citizens the length and breadth of Northern Ireland, who are subjected to media reports of violence, pipe bombings, shootings, and beatings. I do not believe that any law-abiding or right-thinking citizen in Northern Ireland considers that the continued use of illegally held weapons for illegal purposes by members of an illegal organisation does not constitute a breach of the good faith or risk taken by the Government's initiative.

I am aware that there are people who think that that type of initiative should never have been embarked upon. I know that there are people who say that the funding should have been cut the day that the police officer was shot, or when the Chief Constable made his scathing remarks. I am aware that there are people who think that Ministers should treat deadlines as though they were elastic bands. I am also aware that there are people who think that I should carry on regardless. I understand the diversity of opinions and the frustrations on all sides. Of course, there is also the argument that any initiative that hastens the dismantling of a paramilitary group should be given the chance to do just that. It would have been wrong for me to completely close my door on any such opportunity. However, it would also be wrong if I were to fail now to show determination and resolve.

I cannot stand over programmes that are aimed at quickening the pace of decommissioning and reducing paramilitary activity when those same paramilitaries are prepared to flaunt their criminality in the face of the police and the rest of our community. The UDA seems intent on doing that by its continued use of violence. Its fractious nature suggests that the organisation is presently unable to meet the objectives of CTI.

I have obligations to people who are working on the ground, to the managing agent, and also to the continued problem of extending outreach to hard-to-reach communities and devising the most appropriate vehicle to get there. CTI has produced some outcomes, but its primary aim, for its primary target audience, does not seem achievable at this time. I am sympathetic to the people who are involved in CTI; they are totally unconnected to the UDA, and the failure of others is no reflection on them. However, now is the time for me to exercise political judgement and leadership.

Such is the ill-thought nature of the initiative, I am aware that there are people who would seek to judicially review any decision to withhold the funding. There are others who are planning to judicially review, under equality legislation, any continuation of the funding. Therefore, I have had to consider the options available to me. I have considered the legal opinion of senior counsel, both in-house and externally, on the aims of the CTI programme and the Department's obligations to the various parties.

Although others may view recent events differently, or may decide that law and order is not a priority, I beg to differ. My political compass is fixed, and it does not involve prioritising the illegal over the legal, or the lawbreaking over the law-abiding. The cycle of community involvement equating to paramilitary involvement will have to be broken, once and for all.

3.00 pm

I do not believe that the CTI project can be justified any longer, and I propose to end it immediately. Furthermore, at a time when budgets are keenly contested and numerous groups are having their applications for relatively minor sums turned down, I cannot continue to justify the funding of a programme that is unable to deliver. I pledge that no community will be left behind or disadvantaged, and I will talk to elected representatives and others in the target areas to consider how to achieve that objective together. I will also come to the Committee for Social Development to have discussions.

Above all, I will make every effort to ensure that additional funds are allocated to deprived loyalist communities. I have instructed my officials to ensure that any employees who are affected by my decision are given due consideration, but the CTI initiative now ceases to exist as a DSD-funded project.

Contrary to some comments, I have not simply been waiting for 60 days to elapse before axing the CTI project: I do so with regret and after long and arduous consideration. However, I have heard contradictory comments from some UPRG spokespersons. They argue that the project has nothing to do with the UDA, but that any interference with it could derail the peace process. I entirely reject that argument. The UDA must not use today's announcement as an excuse to go backwards. There is only one way to go, and that is forward. The UDA should proceed with its good plans for November and, if there is tangible evidence of a positive move on decommissioning and a decrease in criminality, I am confident that my Executive colleagues will not be found wanting in their support.

It has been a difficult and pressurised time for me. There has been a sustained campaign of briefing against me and attempts to destabilise those around me. Ultimately, however, over and above the complexities of assessing CTI, I know in my heart and in all conscience that my decision is correct.

Under the new political dispensation, the Executive seek to make a real difference for our people. The first step is to set higher standards for justice and democracy. Staying true to the position that I announced over 60 days ago and terminating CTI is my modest contribution to that process.

Some Members: Hear, hear.

Mr P Robinson: On a point of order, Mr Speaker. Today, Members are observing one of the most absurd, if not bizarre, parliamentary experiences for many generations, and I seek your advice on how to handle the next hour.

Members have heard the statement from the Minister for Social Development, and the whole House will share her sense of outrage at the activities of the UDA. Moreover, I have no doubt that Members will agree entirely with her on the need for that organisation to catch up with the rest of the community and move forward in a peaceful and democratic fashion. However, her announcement is contrary to a process set out by the Executive —

Mr F McCann: That is not a point of order —

Mr P Robinson: I am on a point of order.

The announcement she has made is contrary to a process set out by the Executive, and the decision is not consistent with the advice offered by the Departmental Solicitor's Office and senior Crown counsel. I believe her decision is also a breach of the ministerial code and the Pledge of Office. In such circumstances, I wonder whether it is sensible for Members to ask questions based on such a statement.

Mr Speaker: I thank the Member for his point of order. Some of the issues that Mr Robinson has raised in his point of order are extremely serious to the House. Due to the point of order, and the manner in which it was raised, I intend to suspend the sitting.

Mr Durkan: Mr Speaker, not one of those —

Mr Speaker: Order. There are some very serious issues —

Mr Durkan: The point of order is not based on any Standing Order.

Mr Speaker: Order until I am finished. Some very serious issues have been raised on that point of order. I want to be absolutely — *[Interruption.]* Let me finish. I want to be absolutely sure that the House is safeguarded legally and in every other way. I intend to suspend the sitting for 20 minutes in order that I can get some clarity through legal advice on the issue. If all sides of the House can wait for 20 minutes, we can possibly bring clarity to the matter. Under Standing Order 60, I intend to suspend the sitting for 20 minutes.

The sitting was suspended at 3.06 pm.

On resuming (Mr Speaker in the Chair) —

3.41 pm

Mr Speaker: I apologise to the House. I said that we would suspend for 20 minutes, but we ran slightly over that. Meetings have been held with a number of people and groups in order to try to bring some clarity to the issue. I have spoken to Nigel Hamilton, the head of the Civil Service, who has some concerns. In fact, he expressed some serious concerns on the issue's legality. I have also spoken to other members of the Executive, who also expressed some serious concerns about the matter and about the Minister's statement.

However, I have considered Mr Robinson's point of order, and I am satisfied at this time there has been no breach of Standing Orders. I will take no further points of order until after questions to the Minister. I call the Chairperson of the Committee for Social Development, Mr Gregory Campbell.

The Chairperson of the Committee for Social Development (Mr Campbell): I have no questions, Mr Speaker.

Ms Ní Chuilín: Go raibh maith agat, a Cheann Comhairle. I have heard what the Minister said. Does she agree that, as someone who is in the public eye, she, as Minister for Social Development, and her Department funded the UDA? Moreover, does she agree that, had the UDA behaved itself and decommissioned, she would have continued to fund the UDA and provide it with resources? UDA decommissioning should have happened because it was the right thing to do. If the UDA decommissions, will the Minister continue to provide it with funds?

Ms Ritchie: The statement that I have made today still stands, and its content is quite clear.

Mr McNarry: After the proceedings earlier, it is important for the Minister to confirm to the House that all previous contractual arrangements entered into will be honoured. Will she tell the House whether she had any communication with her Executive colleagues on her final decision on the matter in advance of making her statement?

Ms Ritchie: As agreed, I furnished the First Minister, the deputy First Minister and the Minister of Finance and Personnel with two sets of legal advice on the matter.

In response to the other point that the Member raised, my officials will today be exploring all issues with the managing agent, Farset Youth and Community Development Ltd.

3.45 pm

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas a rinne sí agus go deimhin déanaim comhghairdeas léi as an ráiteas. Tá ceist amháin agam uirthi. An

dtiocfadh liom a fhiafraidh di cad é a tharlóidh anois do Airgead Chiste Chlaochlaithe na Coimhlinte?

I thank the Minister for her statement and congratulate her on the stance that she has taken. I am sure that she, like me, is taken aback by the willingness of some Members to jump to the defence of the UDA. What will happen with the CTI money now?

Ms Ritchie: From the financial and accounting perspective, the money will stay in the Department's budget for community development. The bulk of the money pays development officers' wages.

I hope to direct funds to some of the most hard-to-reach and disadvantaged areas, and I will consider the best way to do that by holding discussions with MLAs and councillors from those target areas. I am aware of the needs of those communities and the fact that they differ from one another. I will talk as soon as possible to Assembly colleagues who represent disadvantaged loyalist communities about those communities' needs, and I will then consider how to meet those needs within the criteria of existing DSD programmes.

Before making today's announcement, I spoke to the Chairperson and the Deputy Chairperson of the Committee for Social Development, and I have attempted to reflect their concerns and wishes.

Mr Ford: On behalf of the United Community Group and many other people in the community, I thank and congratulate the Minister for her statement and for her willingness to stand up for integrity in the political process, despite all the pressure to which she has been subjected, inside and outside the House. I also wish to thank the Chief Constable and other police officers for the roles that they have played in combating terrorism.

The Minister said that she will ensure that areas that were previously part of the CTI scheme will not be neglected and that she is willing to engage with elected representatives from those areas to determine how to move matters forward. On behalf of the Alliance Party, and Naomi Long in particular, I assure the Minister that we will engage with her in those discussions. In that context, how does the Minister intend to target the needs of disadvantaged unionist areas without creating different gatekeepers in the future?

Ms Ritchie: I thank Mr Ford and his party for their support. First, I wish to talk to all representatives from the various target areas about their perceived issues of need. Funding equates with need, and I want to meet those needs. I want to hear what Members have to say about this matter, and I want to correct past problems in order to ensure that money is directed towards building communities, targeting disadvantage, deprivation and poverty and reaching those most in need.

In the months since being appointed as Minister, I have had various opportunities to visit Protestant,

loyalist communities — the Village, Ballyclare, Coleraine, north Belfast and Kilcooley. People in those communities told me that they want the yoke of paramilitarism lifted from them. They want to be liberated, to have funding directed at projects that address needs such as poverty, disadvantage and deprivation, and help to rebuild their communities. I am passionate about helping them to do that, because I want to help all people. As a Minister in the Executive and the Assembly, my Pledge of Office commits me to strive towards that.

Some Members: Hear, hear.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. The Chamber has seen many twists and turns, and we have just seen another one. Wider society may find the matter difficult, and Members must be conscious of that in their deliberations.

I must ask again whether the Minister agrees that the UDA should not be funded by public money. Will she say whether the statement means that she intends to fund the UDA in the future? The Minister may have stopped funding what she described in the statement as a UDA organisation — and there is no other way to read it. However if the UDA does the decent thing and puts its guns beyond use, stops intimidating the loyalist communities and moves into a peaceful mode, regardless of all that is she prepared to fund such an organisation?

Ms Ritchie: I am not at all clear what the Member's question is. However, I will make it clear that my intention is to target disadvantage, poverty and deprivation, and the statement that I made to the House still stands.

Mr Durkan: I assure the Minister that people who are watching today's events will recognise that, although her critics have some neck, she, at least, is showing backbone in dealing with an important issue.

Some Members: Hear, hear.

Ms Ni Chuilín: Is she funding the UDA?

Mr Durkan: I heard some questions that were asked from a sedentary position. Sinn Féin is giving clear advice and conclusions. Was that the sort of advice that the Minister received from the deputy First Minister, the Minister of Education, the Minister for Regional Development, the Minister of Agriculture and Rural Development or the junior Minister in the Office of the First Minister and the deputy First Minister when her Executive colleagues received the circular about the issues in the summer? Were her colleagues content? Did the Sinn Féin Ministers offer the sort of advice that is coming from the Sinn Féin Benches today, or did they say something else?

Ms Ritchie: I thank my colleague and party leader, the Member for Foyle Mr Durkan, for his question. I will be absolutely clear about that issue. When I

circulated a paper to the Executive way back at the end of June and early July, notwithstanding my reservations about the project, I outlined that I was prepared to go ahead with it. The response that I received from the First Minister and deputy First Minister was that they did not see a need for a decision to be taken, that it was not a matter for the Executive, and that they left it solely to the Minister for Social Development.

I clearly remember comments from the Minister for Regional Development and the Minister of Agriculture and Rural Development, which clearly recorded that they had no comment to make. That is all that was ever said to me.

Mr Speaker: Order.

Mr F McCann: When all is said and done, I was alarmed when I found out that the Minister was considering funding the UDA. I must touch on one policy that has been mentioned several times — that of targeting social need. The Minister has been selective in her targeting — *[Interruption.]*

A Member: Big talk.

Mr Speaker: Order.

Mr F McCann: She has been selective in targeting social need. Why did the Minister go against her Department's policy of targeting social need and abject poverty, by funding one community over the other, when social need stretches across the community?

Ms Ritchie: I thank Mr McCann for his question. There is some confusion in the House. I am trying to correct problems that were created by the direct rule Administration, which insisted on using funding from the Department for Social Development for that project. It is clear to me that it was a policing and community safety project, which, if it required funding, should have been funded by the Northern Ireland Office. It was nothing to do with the Department for Social Development.

I have already stated to the House my earnest desire to target deprivation and poverty, and to build communities right across Northern Ireland, irrespective of whether the problems lie in a loyalist, Protestant area or in a nationalist, republican area. The most compelling issue for me is that need, disadvantage and deprivation must be addressed, and that we must build communities; we must make a difference if the new devolution is to mean anything to the people of Northern Ireland.

I want to build those communities, and I want to be able to build those communities. I want to ensure that all the people to whom I have talked over the past months — from whatever community they come — are given the freedom to live.

Some Members: Hear, hear.

Ms Anderson: Go raibh maith agat. The Department for Social Development's role is to eradicate poverty wherever it exists. Without doubt, Sinn Féin will support the Minister if she uses that criterion to allocate funding. However, I remain concerned, as do other Members in the Chamber, that the Minister's statement clearly indicates that it has been left open for the UDA to receive funding should it decommission. The Minister is setting out funding criteria for decommissioning that is not being done on the basis of objective need. That is wrong, and the Minister should provide Members with clarification.

Ms Ritchie: Sinn Féin never proposed a motion in the Executive, or even in the Assembly, to suspend or terminate funding for the conflict transformation initiative.

I have made it absolutely clear in the House, during Question Time and various debates, that my earnest desire is to eradicate poverty through addressing disadvantage and deprivation.

I look forward to support from my Sinn Féin ministerial colleagues for my bids to address disadvantage and deprivation in social housing, where an urgent and compelling need exists. I hope that their voices will not fall silent on those particular issues, because poverty must be addressed, irrespective of the community in which it is found. That is my earnest desire.

Mr P Robinson: Will the Minister share with the Assembly any advice that she received from the Departmental Solicitor's Office on the matter? Does she accept that every Minister must act in accordance with the law? Does she accept that no Minister can act outside their legal competence? Will the Minister share with the Assembly the advice that she received from the Executive's secretary, the head of the Northern Ireland Civil Service?

Ms Ritchie: I am not sure whether Mr Robinson is asking the question as Minister of Finance and Personnel or as the person who likes to think that he controls the Executive.

Mr P Robinson: On a point of order, Mr Speaker.

Mr Speaker: Order. I understand that the Member is speaking as a private Member.

Ms Ritchie: I was simply seeking clarification. *[Interruption.]*

Mr P Robinson: That is why I am sitting here.

Mr Durkan: The Member was on the Front Bench. The DUP is good at changing position.

Mr Speaker: Order.

Ms Ritchie: As I outlined at the beginning of my statement, I fully adhere to the principles of the Pledge

of Office. Of course, the Member was not present when I said that. I was very careful — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

Ms Ritchie: I stated clearly that I had sought internal and external legal advice on the matter. I am perfectly satisfied that I have legal support for the decision that I have taken. *[Interruption.]*

Mr Speaker: Order.

Mrs D Kelly: I heard comments earlier about advice from Mr Nigel Hamilton. Certainly, the review into the appointment of the Interim Commissioner for Victims, and the shenanigans surrounding that appointment did not stand up well to scrutiny.

4.00 pm

It may come as a surprise to some, but people in the nationalist community — if not the wider community — are aware that the UDA was not a proscribed organisation until 1993, much to the shame of the British Government at that time.

The Minister has clearly given her commitment that funds to address social need will target deprived communities across the North. Will the Minister again confirm, for slow learners and Sinn Féin, that that is the case and that there will be a level playing field for all community groups to apply for funding under the criteria as set out by her Department?

Ms Ritchie: I thank Mrs Kelly for her question. I agree with her. It is my intention to address the issues of social deprivation and poverty. I will ensure that funding is directed where the need lies.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. Will the Minister agree that the kernel of this debacle is the initiative, taken by the direct rule Ministers, to direct funding towards the UDA, and which she has continued? Will she also agree that lessons should be drawn from this unfortunate experience? If the policy of targeting social need on an objective basis were the only criterion, the UDA would never have been granted money, either in the past, the present or the future.

Ms Ritchie: I thank Mr McLaughlin for his question.

I do not disagree with the issues that he raised about the direct rule Administration. It is unfortunate that many Ministers inherited policies that were not rightly placed or correctly implemented by that Administration. Many Members in this House, including members of his own party, and members of his party in the Executive, have been silent on these issues over the last number of months. I hope that there will be support for proper standards in Government and for tackling deprivation, disadvantage and poverty. The purpose of the Department for Social Development is to build communities through

tackling deprivation, disadvantage and poverty, irrespective of where they lie.

Dr Farry: I add my congratulations to the Minister for her courageous stand and for showing integrity, despite the challenges coming from outside and especially from some quarters of the Chamber.

Will the Minister join me in recognising that the vast majority of people, especially in the unionist section of the community, want the UDA off their backs? Will she also recognise that, in allocating resources to address need, that is distorted by self-appointed middlemen? Will she recognise that the Pledge of Office requires Ministers to act to uphold the rule of law and that this decision is consistent with the rule of law in our society? Will she ask the Northern Ireland Office, which referred this matter to the Department for Social Development, to respect the decision that she has taken?

Ms Ritchie: I thank Dr Farry for his question and for his support. I fully agree with what he has said. I am anxious that resources are targeted where the need lies.

All Members should uphold the rule of law. When I found out that a policeman had been shot — and I am sure, and hope, that nobody would disagree with this — that a community was being held to ransom in Kilcooley and that similar acts were taking place, and are still taking place, in Carrickfergus, I had to take action to ensure that the best possible principles of democracy — the very principles that this House holds dear — are upheld, and that money is directed to those who need it and used to tackle disadvantage and deprivation. Once again, I thank the Member for his support.

Mr Donaldson: On this side of the House, it has been our long-held objective to see paramilitarism removed from everywhere in Northern Ireland, regardless of its manifestation. That remains our objective. Nevertheless, we cannot fight unlawfulness by taking unlawful decisions. We need to be absolutely clear that the decision taken today is legally competent.

In the interests of transparency, the Assembly must be clear about the advice that the Minister has been given by the Departmental Solicitor's Office. However, the Minister has not told the Assembly what advice she was given. The Assembly is entitled to know what that advice was, because that is essential if Members are to be able to defend the decision that has been taken. Therefore, can the Minister clarify what advice she was given by the Departmental Solicitor's Office?

Ms Ritchie: I thank Mr Donaldson for his support. Everyone in the House agrees that the yoke of paramilitarism must be removed. I do not believe that anyone disagrees with that. The information that was provided to me internally by the Departmental Solicitor's Office and by senior Crown counsel, and that which I

received from an independent legal person, is privileged information. Therefore, I shall leave it at that.

Mr Attwood: Does the Minister agree that people who have long been silent on this issue have suddenly found their voices in the Chamber? Those people gave advice, the height of which was, "no comment", when the Minister sought guidance from her Executive colleagues. The people whose advice amounted to "no comment" now have all sorts of advice for the Minister on how she has handled this matter. Does she not find that contradictory and somewhat insulting to the people of Northern Ireland, who have a clear view about how this matter should be handled, unlike members of Sinn Féin and its Ministers in the Executive? Has the Minister consulted General de Chastelain to seek his assessment of the situation in respect of decommissioning by loyalist paramilitaries?

Ms Ritchie: I thank my colleague Mr Attwood for his comments and questions. First, I wish to point out that I am happy to share the legal advice that I have been given with the Committee for Social Development.

I have had a meeting and a telephone conversation with General de Chastelain. I can assure the House that I fully and carefully considered the information that he provided. I am sure that the House will understand that I cannot share what I have been told. However, I can tell the House that no one to whom I have spoken during the past weeks and months has told me that the requirement for decommissioning would be fulfilled as I had requested, and which is so evidently required by the people of Northern Ireland.

Everywhere that I have visited throughout Northern Ireland during the past several months, people have told me that they want the yoke of paramilitarism removed from their backs; they want deprivation and disadvantage addressed, and they want illegal weapons removed from society and decommissioned — they were very clear about that and they were also clear that they want criminality, violence and terrorism to be removed from society. There is a new political dispensation. In view of the fact that the dial on the political compass has changed, the public must see UDA decommissioning and the yoke of paramilitarism and criminality removed from our society.

Mrs Long: I thank the Minister for Social Development for her statement. I am pleased that she has shown a degree of integrity that was lacking in that area under direct rule. Given that the programme was brought in under direct rule, has the Minister received any assurance from the Northern Ireland Office that those who have, for so long, lectured local representatives to get on with the job for which they were elected, will now respect the Minister's decision, having made the choice for which she was elected, and will desist from further interfering in the matter?

Some Members: Hear, hear.

Ms Ritchie: I thank Mrs Long, a Member for East Belfast, for her support and for her question. However, I very much regret that I am not in a position to provide her with a clear answer. I hope that the Secretary of State for Northern Ireland and Minister Goggins will support me in my decision — and support me publicly — and ensure that any side briefing is stopped.

I want to clear up two things. First, for the benefit of ministerial colleagues and Sinn Féin Assembly Members, I will not be funding the UDA now or in the future. Secondly, for the benefit of my DUP Assembly colleagues, my decision has an entirely robust legal basis. The Departmental Solicitor's Office has observed that I am behaving entirely legally.

Some Members: Hear, hear.

Mr McCartney: Thank you, and go raibh maith agat, a Cheann Comhairle.

Given that some of the Minister's party colleagues cannot distinguish the difference between criticism and clarification, she has cleared the matter up. We sought clarification of one issue and one issue only. *[Laughter.]*

Mr Speaker: Order.

Mr McCartney: We sought clarification of one issue and one issue only. Will the Minister guarantee the House that she will never in the future fund the UDA?

Ms Ritchie: I thank Mr McCartney for his clarification. For the benefit of ministerial colleagues in Sinn Féin, for Sinn Féin Members and for other Members, I will not fund the UDA either now or in the future.

Mr Speaker: Order.

Mr Kennedy: I thank the Minister for her statement, at least. I assure Members and place on the record that the Ulster Unionist Party has neither sanctioned nor supported the actions of any illegal paramilitary organisation, loyalist or otherwise.

In her statement the Minister drew attention to the work of the managing agents, the Farset organisation. I ask her to clarify beyond any doubt that, as a result of her decision, its integrity is in no way affected, nor will it be affected or impeded in the future as it continues to carry out important community work in that entire area.

Ms Ritchie: I thank Mr Kennedy. I fully agree with him about paramilitarism. Neither I nor my party have ever supported paramilitarism, irrespective of where it may have come from. I want to put that on public record. My statement also expressed my support for the Farset organisation. I have never, at any time, said anything different. On the day that I made the original statement, I said that I supported the good work that was undertaken by Farset and what they have done for community development in Belfast over the past 35 years.

Mr Speaker: Order. That concludes questions on the ministerial statement.

Mr Campbell: On a point of order, Mr Speaker. In circumstances where a Minister gives a briefing to the Chairperson and Deputy Chairperson of a scrutiny Committee of the House immediately before an important decision that that Minister is about to announce, what redress do the Chairperson and Deputy Chairperson of that Committee have in ensuring that they get satisfaction in the future? That occurred today, 30 minutes before the Minister for Social Development made a statement on the important decision on which she has just been taking questions. That briefing included a specific reference to legal advice that she obtained that supported her decision. However, it has transpired that that was not the case.

A Member: That is not a point of order.

Mr Campbell: It is a point of order.

A Member: What are you worried about?

Mr Speaker: Order. I have listened to the Member, and that is not a point of order in which the House should become involved.

We will now move on to the next item of business.

4.15 pm

Mr Ford: On a point of order, Mr Speaker. The issue of legal advice to Ministers was raised on a previous occasion, and it concerned the appointment of an interim Victims' Commissioner by OFMDFM. Surely that must be taken into account now, because, on that occasion, the House conducted its affairs very differently, and there was a very different ruling.

Mr Speaker: Again, I hear what the Member is saying. However, it is not an appropriate point of order for the House. It is certainly a matter for the Executive, but not for this House.

Mr A Maginness: On a point of order, Mr Speaker. At the end of the Minister's statement, Mr Peter Robinson raised a point of order. I have checked the blue book, the 'Northern Ireland Assembly Companion', which contains a ruling by Speaker Alderdice on such matters. That ruling was that no point of order would be taken during the course of a statement, or during the course of questions following a statement.

Mr Speaker, I am in no way criticising the Chair. However, in view of the precedent established by Speaker Alderdice, can you consider whether the point of order made by Mr Peter Robinson, was, on reflection, out of order and should not have been taken at that point? Mr Speaker, I ask that you reflect on that matter and report back to the Assembly on what I believe was an improper point of order — and Mr Peter Robinson should, of course, have known that.

Mr P Robinson: Further to that point of order, Mr Speaker. Based on the terms used by the Member himself, is it not true that I did not make a point of order during the statement or questions?

Mr Speaker: I will clarify the issues raised in those two points of order. Mr Robinson is correct in saying that he did not make a point of order during the ministerial statement. He waited until the end of the statement before he made his point of order, which is appropriate. I have continually reminded Members that I will not take points of order during a statement, but that I am happy to do so after a ministerial statement is made and before questions to the Minister are taken.

Rev Dr Ian Paisley: On a point of order, Mr Speaker. Will you give some consideration as to how long the rulings of previous Speakers abide? Are those rulings eternal? Do we hold forever to the rulings of a person who sat in the Speaker's Chair but was never elected to it by this House? Does there come a time to say "Amen" to those rulings and bury them?

Mr Speaker: I am very happy to report back to the House on that point of order. I must remind Members that, as always, the Speaker's decision is final. It is important that Members remember that.

I ask Members that if they intend to leave the Chamber, to do so quickly, and if they intend to stay, to please take their seats.

PRIVATE MEMBERS' BUSINESS

Fiscal Reform

Mr Speaker: The Business Committee has agreed to allow up to two hours for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for a winding-up speech. All other Members who speak will have five minutes. One amendment has been received and has been published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and 10 minutes for a winding-up speech.

Mr Neeson: I beg to move

That this Assembly recognises the complexity of the global economy and calls for fiscal reforms, and other measures, to ensure that Northern Ireland is competing on a level playing field.

The events of this afternoon will be a hard act to follow; I hope that they will not overshadow the content of this debate.

The real purpose of the motion is to keep the question of the economy to the fore in the Assembly. Members will recall that before the restoration of devolution the Subgroup on the Economic Challenges facing Northern Ireland reported back to the Transitional Assembly. The main purpose of the subgroup was the creation of economic advantage as part of the peace dividend. However, the Chancellor's pre-Budget statement last week clearly showed that Alistair is not the Darling of businesses in Northern Ireland. Despite that, I want this debate to be a positive one. I am aware that the US ambassadors have been to Northern Ireland in recent days, preparing for next year's economic conference in America. That will provide a major platform for the exploitation of opportunities and the development of Northern Ireland's economy.

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

The unemployment rate in Northern Ireland currently stands at 4%. I remember that when I was Chairman of the Economic Development Committee of the 1982 Assembly, unemployment was over 20%. It is somewhat ironic that that Assembly was elected 25 years ago later this month; there are very few survivors from that time. The days of the culture of economic development grants are gone, which is to be welcomed. That Committee had to deal with issues such as DeLorean and Learfan, which, ironically, were not total failures.

We must realise that we are now living in a global economy, and that new challenges are coming from new economies such as India and China. The real issue that faces us now is competitiveness; we have to

recognise that there is a structural imbalance between the private and public sectors. The challenge is to strengthen the private sector and reduce our undue dependence on the public sector.

Although the focus of the motion is on fiscal reforms, there are other issues that must be addressed in order to assist the growth of the economy here. The reform of corporation tax is an obvious priority, and the Assembly and others have made submissions to Sir David Varney on that subject. It is to be hoped that his report will be presented to the Assembly sooner rather than later.

Last year, the Subgroup on the Economic Challenges facing Northern Ireland heard from a wide range of organisations and individuals — as has the Committee for Enterprise, Trade and Investment this year — who expressed their concerns about the unfair competition coming from the Republic of Ireland as a result of its lower rate of corporation tax. There is no doubt that that lower rate has attracted a substantial amount of foreign direct investment into the Republic of Ireland, particularly in high-value industries. Other areas of the UK do not share a land border with another country that has such fiscal advantages.

I am aware that there are issues in the EU over the Azores ruling. Those issues could be overcome if the Assembly had tax-varying powers in line with those devolved to the Scottish Parliament. That would give us greater fiscal flexibility to grow our economy and expand the private sector. Research and development tax credits must be closely examined. The evidence shows that there is a lack of take-up of those incentives, especially by SMEs (small and medium sized enterprises).

It must be asked: do those tax credits need to be enhanced? Could the universities do more to encourage that? I have been greatly impressed by the work that has been carried out in the science parks and other research institutions in Northern Ireland. It would be remiss of me not to take account of the excellent lobbying work carried out by the Northern Ireland Manufacturing Focus Group on the question of industrial derating. The Assembly has already debated the issue, and I know that it is a matter to be considered in the comprehensive spending review. I remind Members that industrial derating was first introduced here to compete with the lower rates of corporation tax in the Republic of Ireland.

Last week, the Committee for Enterprise, Trade and Investment heard a submission from the Department on its regional innovation strategy. In fact, the Committee discussed that matter at its meeting today. The success of the strategy is dependent on close co-operation between Northern Ireland Departments. It is important that joined-up government is developed. It is clear that

we live in a changing world and a changing global economy, so we must develop the skills and expertise to meet the needs of today and the future. That is why a regional innovation strategy is so important.

Flexibility and responsiveness are also needed in regulation and planning. Fiscal reform alone is not the panacea for the future. However, there are many challenges ahead for the Assembly to make Northern Ireland a competitive country in today's global economy.

Although I accept the spirit in which the amendment was made, it does not take into consideration all of the issues that I hope are included in my motion. Therefore, the Alliance Party will not support the amendment.

Mr Beggs: I beg to move the following amendment: Leave out all after "Assembly" and insert

"calls upon the Executive, on receipt of the report of the Varney Review, to work in conjunction with Her Majesty's Treasury to provide a competitive fiscal framework for business in Northern Ireland."

I am sympathetic to much of what the proposer of the motion has said, but I have sought to improve what I believe to be the spirit of the motion.

First, I like plain English. The first part of the motion says:

"That this Assembly recognises the complexity of the global economy".

That is wonderful language, but I am not sure what it conveys or what its purpose is. The relevant word that I have used is "competitive"; we must be competitive, and not simply recognise the complexity of the global economy.

The motion continues:

"calls for fiscal reforms, and other measures, to ensure that Northern Ireland is competing on a level playing field."

It is unclear what the intention is. What is meant by "a level playing field"? I presume that it refers to corporation tax, but many of our EU neighbours have higher corporation tax levels. We do not necessarily want a level playing field with those countries; again, the important word is "competitive". I presume that everyone in the Assembly wants lower levels of corporation tax, not the same levels as other countries.

Secondly, in the latter part of Mr Neeson's speech he called for tax-varying powers. That was not specifically contained in the motion, although I feared that it might be mentioned.

Income tax is an important tax in any economy. Income-tax levels would increase if they were brought in line with other European countries. There is no doubt that a rise in income-tax levels would have an adverse affect on the Northern Ireland economy. It would disincentivise individuals from working, and we need to encourage more people to move from incapacity benefit to employment in order to improve the efficiency

of our economy. There must be no disincentives that limit what might occur. The use of the term “level playing field” is wrong, so I have used the word “competitive”.

The Varney Review is particularly relevant to the current fiscal framework in Northern Ireland and is another glaring omission from the motion. Members look forward to hearing the outcome of the review, and it would be helpful for the Minister to indicate whether Sir David Varney has submitted his report to him and the devolved Administration. If so, when will that report be made public?

4.30 pm

My amendment calls on the Executive:

“to work in conjunction with Her Majesty’s Treasury to provide a competitive fiscal framework for business in Northern Ireland.”

Members must remember that when business performs well, there are genuine, sustainable jobs, and everyone prospers and has more opportunities. To achieve that, a reduction in the level of corporation tax could play an important role, although it is not yet known whether that will be considered or implemented.

In the United Kingdom, the Northern Ireland economy is unusual in that it relies heavily on small businesses. To date, the Chancellor has introduced to the Northern Ireland economy an increase in the tax on small businesses from 19% to 22%. Rather than giving advantages to the Northern Ireland economy, he has penalised it particularly harshly.

Among the other options that must be considered is industrial rating, which is in the Assembly’s grasp. The industrial rates escalator in which the direct rule Administration have placed Northern Ireland would be disastrous for the economy. Given the additional electricity, energy and transportation costs, many employers have indicated that an increase would lead to a reduction in R&D, investment and, ultimately, local jobs. It is important for Northern Ireland not to be tied to that escalator.

An increase in tax credits for R&D is important. In a survey, the Federation of Small Businesses found that 65% of its members were unaware of them. Progress must be made by improving advertising and ensuring that employers are better informed of the opportunities that tax credits offer to their businesses. As with many other systems that Government operate, it must be made easy for businesses to apply for tax credits. The advantages that they bring allow local businesses to make improvements. Additional investment in R&D can improve their competitiveness and increase sustainability and job opportunities.

Capital allowances also offer opportunities. My amendment states that the Executive must work in conjunction with Her Majesty’s Treasury on the development of various areas to create a “competitive

fiscal framework”. Capital allowances enable businesses to make significant investments rather than paying tax, and they must be encouraged.

Rates relief for rural post offices and isolated convenience stores exists in other parts of the United Kingdom, and its application to Northern Ireland must be considered. Why should that benefit only be available elsewhere?

My amendment enhances the intention of the motion by removing the doubt created by Mr Neeson’s use of the phrase “level playing field”. Rather, the Assembly wants to create a more competitive playing field in which businesses can operate and thereby create more job opportunities. Therefore, I ask Members to support my amendment.

Mr Storey: I welcome the opportunity for the Assembly to debate the health and growth potential of Northern Ireland’s economy, and I support the amendment.

I concur with the Member for East Antrim Mr Beggs that it is crucial for the Assembly to ensure that competitiveness is at the heart of fiscal policies.

Every time I speak on this issue, it is in the full knowledge that some of us lack the relevant expertise, especially following the loss that our party experienced with the sudden passing of my dear friend and trusted colleague George Dawson. His maiden speech in the Assembly was on the Northern Ireland economy, which was dear to his heart. Therefore, we are discussing the subject today with mixed emotions.

When we are considering the problems facing the Northern Ireland economy, we must have all the relevant tools at our disposal to ensure that Northern Ireland is a prosperous place for everyone. We are developing a model of devolution — which gives us some autonomy to make responsible decisions that will have a positive, or, depending on the decisions that we make, adverse effect on our local economy. That is the single biggest challenge facing the Administration.

The economy is our key priority, particularly if we accept the prevailing view among some economists that Northern Ireland does not pay its way. It is not alone in that respect. When we look across this island, we see a contributor to our economic difficulties, namely the lack of what has been described as the cornerstone of industrial development policy — a competitive corporation tax.

At first glance, Northern Ireland’s economic performance has been impressive. We have an unemployment rate of 5% — lower than the UK as a whole and well below the rate of unemployment in Europe, which is at 8.4%. In the past 10 years, the employment rate has grown by around 20%, which is double the UK rate.

We have innovative companies that can compete with the best in the world, and I am always mindful of companies such as Wrightbus Ltd, which I have mentioned in the past, in my constituency of North Antrim. That company has been exemplary in how it has faced up to its challenges. Such companies have proved that they are well able to compete with the best in the world. However, they and many others who may be encouraged to set up base and invest here need realistic and competitive incentives. We are unenviably limited, due, in part, to our inability to competitively entice substantial inward investment.

Our fiscal deficit, which is funded by the Treasury, is around £7 billion. That is almost double the figure for Scotland, which has the ability to vary income tax by three pence in the pound but has never done so — for sound fiscal reasons. Surely, a one-size-fits-all approach for the UK is inappropriate for the Northern Ireland economy.

The Westminster Government must recognise the unique circumstances in Northern Ireland and acknowledge that now is the time to permit a measured degree of diversity. A strong one-off case can be made for corporation tax. However, we should be cautious about departing from UK-wide policy and we should consider the implications of doing so in such cases. We would probably be left to meet the financial burdens for a policy that could backfire economically. After all, there are strong arguments for continuing to benefit from the protection that comes from being part of the UK-wide tax system.

The report of the Varney Review, which is due to be made public soon, has been mentioned. The Executive will carefully consider their response to that report, as part of a wider directional change to stimulate our economy.

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

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I listened carefully to the proposal that my party supports and to the comments of Roy Beggs in moving the amendment.

I acknowledge that both Members attempted to address an issue that the House must confront at some stage. To some extent, Roy Beggs allayed my initial concerns about the amendment when he elaborated on his reasons for tabling it. His contribution was, therefore, constructive and helpful.

The issues that were raised in the debate were addressed by the economic subgroup that the Preparation for Government Committee established during the Hain Assembly. The subgroup carried out its work on the basis of an all-party consensus. That united front was evident when the parties went to see the then Chancellor of the Exchequer, Gordon Brown, and his Treasury team. The hostility of the Treasury to any

modification of the one-size-fits-all approach, to which Mervyn Storey referred, was made clear at that meeting.

However, the issue remains a conundrum for the Executive. This island has an economy that performs competitively in the global economy. Therefore, a level playing field would compel one to examine the reasons for that hostility and, perhaps, apply circumstances that were more suitable to an island-wide approach. What clearly works in London and the south-east of England does not necessarily work in the north of England, Scotland, Wales, and it definitely does not work in this economic region.

Statistics that cover a long period demonstrate the failure of the policy of convergence. The draft economic projections that were prepared under the direct rule Ministers, and that continue to underpin the Department of Finance and Personnel's economic approach until such times as the Assembly can impose itself, predicted a 0.5% improvement in the divergence of performance and productivity for the next six to seven years. That was a policy of failure, which, in addition to the fact that the advocates of the status quo are not arguing that the situation will improve, means that the Assembly has an inescapable responsibility to secure as much flexibility and as many fiscal instruments as possible to enable the Executive to do their work and deliver on the Programme for Government. However, the current arrangements do not facilitate that.

We will study the Varney Review, but there is no expectation that it will challenge the orthodoxy that has governed the Treasury's approach up to now. Therefore, it appears that the failure of our efforts to regenerate, broaden, deepen and make the local economy competitive will continue.

The motion deserves support. I do not know whether the Alliance Party will respond to Roy Beggs's amendment. The movers of the motion and the amendment presented arguments of merit that could be supported. My party supports the motion and looks forward to the Minister of Finance and Personnel's response. Go raibh maith agat.

Mr O'Loan: Although it is customary to compliment a Member for moving a motion, I am reluctant to do so because this debate is artificial, repetitive and will not add hugely to human wisdom or to the contribution that the Assembly can make for the betterment of our economy. I support the general purpose of the motion, as anyone would, but I am not hugely enthusiastic about its wording.

Neither do I have any great enthusiasm for the amendment. The views of the SDLP on fiscal measures will not be limited by the outcome of the Varney Review: the party will continue to pursue constructive solutions on fiscal matters that are specific to our situation. There are some good examples of that in relation to variations

that have been achieved on climate change and aggregates levies. However, I prefer the objective of the motion because of the inclusion of the phrase “and other measures”, because it is important to recognise that the betterment of our economy will not be obtained solely by fiscal means; that fact has been well recognised. Therefore, the Ulster Unionist Party should withdraw its amendment, because it does not help the motion. It is certainly not something on which the SDLP will seek to divide the House; the addition of a pointless Division to a pointless debate will not contribute anything. However, the debate will have some significance if the Assembly shows unity on issues raised in the Varney Review.

4.45 pm

I said previously that I had no great enthusiasm for the original motion; it is vague on what fiscal reforms and other measures it is proposing. I am particularly concerned about the phrase “a level playing field”, because I do not think that such a concept exists. The business world here and throughout the world could be better compared to a jungle. The use of such phrases invokes the idea that there is some sort of *deus ex machina* that will solve all our business problems. That view is commonly held, and I detect some special pleading around the business community and this discussion of our economy.

All companies — including what is sometimes referred to as “Northern Ireland plc” — must look for a niche in which they have a competitive advantage. The ground is always shifting, so companies must be one step ahead and be ready to move if it seems that their niches might disappear. The Government have a vital role in creating a favourable environment for business and in giving direct appropriate assistance, but we cannot expect some magic bullet from the Government. Success for our businesses will require hard work, initiative and the courage to take risks. The broad cultural attitude to business is important, and I am not convinced that the attitude in our business community is absolutely right; I detect that from what I hear in the Chamber.

I submitted an amendment to the motion, the intention of which was to initiate a discussion on the comments made by the Minister of Finance and Personnel that North/South co-operation is essential for global success. It also sought to ask the Assembly to consider a recent proposal by Dr Alan Gillespie, the chairperson of the Ulster Bank, to merge Invest NI and the Industrial Development Agency Ireland. That proposal appeared in ‘The Irish Times’ on 3 October 2007. The article not only dealt with that specific issue but broadly discussed the state of our economy and what it requires to go in the right direction. It is an important article, and it is perhaps no harm that my amendment was not selected, because the issue deserves wider debate. In the meantime,

I will circulate the article to all Members, because it is worthy of their study, and I hope that we will find a methodical way of discussing it.

Mr Hamilton: I support the amendment. I am confused by the text of the original motion, as were other Members: it is unclear what exactly it is calling for. I share the concerns of others that it is about the introduction of blanket tax-varying powers in a somewhat less subtle fashion than the Sinn Féin motion from a couple of months ago.

The text of the motion could best be described as naïve in some respects. Anyone who does not appreciate that the global economy is complex should not be in this Building. Some concentration has been placed on competing on a level playing field, but one of the complexities of the global economy is that there is no such thing as a level playing field. One of the problems that comes with globalisation is the movement of heavy-labour jobs to low-wage economies. I am sure that the Member who proposed the original motion is not advocating that Northern Ireland should have the same low wages as China, India or some of the other Far East economies. The amendment offers more clarity on that important issue, not least because it puts the debate in context.

A global economy means that Northern Ireland, and other Western economies, cannot now easily compete with low-wage economies for heavy-labour jobs. Most Members know of towns and villages in their own constituencies — and my constituency of Strangford is no different — where traditional heavy-labour jobs in textiles and engineering have moved to other parts of the world. That is a fact of life in the global economy. For a long time, we have been told that the muscle that we must engage is not in our arms and legs, but between our ears, and that innovation is the key to competition in a global economy. However, it is now no longer even as straightforward as that.

Low-wage economies such as India and China are now investing heavily in education, skills, research and development, and innovation. India has around 300 universities and over 15,000 colleges generating 2.5 million graduates every year, 350,000 of which are in engineering. That is twice what the USA produces each year. The OECD recently described China’s investment in research and development as “stunning”. The number of researchers in China has increased by 77%, and its investment in innovation has doubled. China is now spending more on research and development than countries such as Japan, which used to be considered to be at the cutting edge.

The DUP has long supported fiscal reforms for Northern Ireland that can retool our economy and allow us to — as Roy Beggs said — compete in the global economy. There has been an understandable

fascination during the debate with retooling our economy through measures on corporation tax, and the Varney Report's conclusions are awaited with keen interest. However, corporation tax itself was never going to be the panacea, or the silver bullet, for all of our ills. We must not lose sight of the fact that there is much that the Assembly and the Administration can do to make Northern Ireland competitive, which does not necessarily require Treasury support or tax incentives — although both of those would be helpful. I refer particularly to research and development, skills, and education in general.

Indeed, whatever the Varney Report states, our economy must have skilled workers in place to seize the jobs that Northern Ireland may attract. There is little point in telling the world that we have a competitive business-tax regime if, when companies wish to set up here, we do not have the people who are capable of taking up those high-value jobs.

Our indigenous companies also need to be supported, and there have been some suggestions that that could be done by encouraging them to engage in research and development. I hope that the Programme for Government will ensure that the economy is at the heart of the Assembly's work. There are some encouraging signs in our economy, and it is important that the message that is sent out is upbeat about our economic prospects. We are seeing growth, not least in financial business services, tourism and software, in which we are now developing a critical mass of expertise. The economic future of Northern Ireland is bright, especially now that we have a locally accountable Administration that can respond to the needs of our economy.

I have some sympathy for the comments made by the previous contributor. However, I welcome this debate and the opportunity that it offers to once again highlight the important issue of economic development in Northern Ireland.

Mr F McCann: A LeasCheann Comhairle, go raibh míle maith agat. I support the original motion. The North of Ireland's economic performance has been — and continues to be — poor in comparison to the rest of Ireland, and compared to Britain. The lack of economic development is due to political instability, deep societal divisions, over 30 years of conflict, and deep patterns of discrimination and disadvantage. Deeper problems are exacerbated by an artificial border — the real cost of division on this island.

The case for fiscal reform in the North of Ireland rests on the fact that existing policy measures are inadequate. Several economic challenges have been identified in a report by the Committee on the Preparation for Government. The local economy has an imbalance when it comes to the contribution of the public and private sectors to economic activity. Inward

investment is sluggish, the growth of local business is low-key and employment, with low-paid, low-skilled jobs, is not concentrated around the service sector.

Public spending is responsible for 63% of our gross domestic product, and although public-sector spending should be maintained, private-sector growth must be encouraged. Economic output here is about 20% below the British average and has also been falling steadily behind the Twenty-six Counties. Low unemployment figures of 4% conceal the fact that the levels of economic inactivity are far higher. The number of people on incapacity benefit is 74% higher than the average. There is a clear deficit of skills, and university graduates continue to leave, exacerbating that deficit.

Something different must be done in order to create a strong and vibrant economy. Competitive fiscal incentives, alongside other measures, will encourage investment and growth in foreign direct investment and SMEs. While there is no doubt that the lowering of corporation tax is important to the economy, and a level playing field on the island of Ireland would go a long way towards attracting and sustaining foreign direct investment, we must do more to deliver investment in people, skills and the infrastructure.

Initiatives such as marketing the island of Ireland to investors in key areas such as agriculture and tourism, and the opening up of the debate around the benefits of merging Invest NI with IDA Ireland, would see a single inward-investment strategy — a move towards effective marketing.

Other tax reforms, such as targeted tax relief for local and rural businesses, the manufacturing sector and small and medium-sized enterprises would be beneficial. A crucial aspect of strengthening enterprise is the nurturing of new businesses. Part of that should involve lightening the financial burden on those businesses during their start-up period, and a system of tax relief for new businesses on the basis of a compulsory, agreed and accountable action plan, particularly for those that locate in TSN areas.

Those fiscal freedoms could unlock our potential to set our own funding priorities. They would also be an essential component in developing a radical plan of action to tackle deprivation and ensure long-term economic development.

There are many tough choices facing us. If there is no move to develop greater fiscal freedom and strengthen the local economy, there will be many difficulties ahead. Go raibh míle maith agat.

Mr McQuillan: The impact of being part of a global economy has been clear to us all over the past few weeks. Rocketing oil prices and the international credit crunch arising from loan defaults in the US housing market are having a knock-on effect across the globe, and we in Northern Ireland are not immune.

Although the 'Northern Ireland Economic Bulletin', published at the end of June 2007, highlighted higher-than-ever levels of employment and a low rate of unemployment, it also pointed to significant areas of continuing structural weakness in our economy — lower levels of productivity than in the UK as a whole, higher levels of economic inactivity and, of course, the relatively small private sector.

Like all modern, developed economies, the challenge facing us is to manage the transition to high-value-added activity and to be competitive locally and, most importantly, internationally. We need a better-qualified workforce and a re-energised private sector that embraces innovation and develops a culture of enterprise in our young people.

Further encouragement in the economic bulletin was in tourism, where it is recognised that 3.5% gross value added to the economy in 2003 has the potential to grow and improve on the 24,000 jobs already supported in that sector.

I recognise growing trends in my constituency of East Londonderry, where tourism is such a vital part of the local economy right across the north coast. Indeed, money invested in projects to improve the infrastructure for tourism would be a wise investment and would provide a healthy return in both jobs and economic activity.

However, I am not sure that this is the best time to launch a series of fiscal reforms such as those suggested in the motion. The Executive have been in place only for a matter of months, and they must concentrate on establishing the scale of the various economic and policy issues that must be faced, and then prioritise them. Meanwhile, Members anticipate the publication of Sir David Varney's report — particularly its recommendations on corporation tax.

5.00 pm

Frequently, during the period of direct rule, business leaders emphasised the need for political stability. As the business sector attempts to create new industries and grow existing businesses, the Assembly must demonstrate a measured and considered approach to the economy that will inspire confidence. In the coming months, I know that my colleague the Minister of Enterprise, Trade and Investment will ensure that the economy is at the forefront of Members' minds.

It is premature to talk of fiscal reforms before examining and prioritising the range of issues that we face. I support the amendment.

Mr Cree: The motion is well intentioned, but it provides no clear vision of a way forward. Members are aware of the term "global economy", but do we fully understand its implications? There has never been a global economy before. The closest example might

be the Marshall Plan of 1947, which few Members would remember. Following the destruction of Europe in the Second World War, that plan was an attempt to create a more balanced international economy.

Members have seen what a market economy can do to encourage growth, particularly over the past two decades, when people witnessed perhaps the greatest ever increase in living standards. That is the success of globalisation, which amounts to an economic revolution. With it, however, come significant risks.

Much of the world's manufacturing industry has gone to China and the Far East. It is estimated that China's exports account for 70% of the world's GDP. Members have referred to the wording of the motion. That is an illustration of how Northern Ireland can never compete on a level playing field with low-wage economies such as China, India and other Far East countries. We must accept that reality and fundamentally reappraise our economy and its future.

Members have referred to the large amount of work was carried out in the past year by the Subgroup on the Economic Challenges facing Northern Ireland. The reports that that subgroup produced still make good sense and should be implemented. The Varney Review is about to publish its report, and it may contain good news about corporation tax. More likely than not, it will be unhelpful. In any event, we must move forward.

Closing the gap in living standards with the rest of the United Kingdom and the Republic of Ireland is a key challenge for Northern Ireland. In order to do that, there must be a major increase in productivity, performance and economic growth, and that growth must be geared towards export markets.

The United Kingdom Government have a policy that is designed to achieve economic convergence in the regions. That has not worked and must be revisited. In a fiscal union such as the UK, a one-size-fits-all policy operates, and devolution has made little difference. The Treasury must address the failure of that policy. It seems to be content to continue to subsidise regions that are in deficit, such as Northern Ireland, at the rate of £6 billion to £7 billion per annum, instead of allowing additional policy flexibility or fiscal autonomy. Only three of the 12 UK regions operate at a surplus. The other nine spend £60 billion more than they pay in taxes.

As part of a competitive fiscal framework, more mundane issues must also be addressed. Research and development credits must be enhanced to raise the low level of business R&D in Northern Ireland.

Fuel excise duty is a major problem, and the large disparity between Northern Ireland and the Republic of Ireland has encouraged crime, harmed commerce, deprived the Exchequer of many millions of pounds and is a source of revenue for organised crime.

Capping industrial rates would help existing manufacturing businesses, and a highly-educated and skills-based pool of workers is required in order to attract foreign direct investment. To create a world-class economy in Northern Ireland, entrepreneurs, inventors, financial services, technologies, transfer processes, venture capitalists, higher and further education, the universities, and the IT and software sectors must be brought together.

We need the full support of HM Treasury to provide a competitive fiscal framework for business in Northern Ireland, and that is why I support the amendment.

Mr G Robinson: All Members must acknowledge that Northern Ireland is at a major disadvantage in comparison with the rest of the United Kingdom and Europe due to its peripheral location. That location means that businesses here must pay a higher tariff for the electricity they depend upon to produce goods, because the fuel for the generating stations must be imported.

Also, our employment base seems to be anchored in the public sector; and the difference between the rates of corporation tax in Northern Ireland and in the South does us no favours when trying to attract investment from global companies and puts us at a distinct disadvantage.

However, Northern Ireland has some positive features, the main one being this Assembly. The political stability that was brought about through the strong leadership of the DUP sees Northern Ireland enjoying a global good-will factor that we must capitalise on fully.

We have an opportunity to attract employers who will bring well-paid jobs to Northern Ireland; reduce our labour market dependence on the public sector, and become a wealth-creating part of the United Kingdom. To do that, we must ensure that our workforce has the skills to fill all employment opportunities, whether they are in research and development, tourism or finance.

However, some areas of fiscal reform contain policy matters that the Assembly cannot control. The main issue is the difference in the rate of corporation tax between Northern Ireland and the South. Considering the South, statistics show that the low rate of corporation tax has helped the Government there to attract high-productivity businesses, for example, in the chemical, electronics and IT sectors.

We want and need those types of industries to be established in Northern Ireland. We want them for the employment and the opportunities they provide, especially for our young graduates, many of whom have to leave their home soil.

We must also remember those who do not have the opportunity to enter third-level education. According to reports, 25% of the adult population of Northern Ireland have a literacy or numeracy skills deficit, which undoubtedly contributes to the 27% figure for

economic inactivity. Therefore, it is essential that fiscal reform must incorporate the direction of moneys to help people obtain essential skills for a marketplace increasingly dominated by global, transnational companies that demand the highest skill levels from their employees. It is also essential that programmes that aid people to retrain or obtain new qualifications at all stages in life are maintained.

Northern Ireland may have an education system that is the envy of many countries, but with one quarter of our population having difficulty with the basics, we must remain aware of the need to address problems with literacy and numeracy.

Furthermore, it is necessary to ensure that our infrastructure is up to the standard that transnational companies expect. The road network has some clearly identified weak spots, such as the A26 Belfast to Coleraine corridor, the A8 from Belfast to Larne and the A4 from the M1 to Enniskillen, all of which allow access to those areas of the Province and provide cross-border links.

Upgrades to the rail network are required, and the lines from Belfast to Londonderry, Dublin and Larne all require investment. There should be stops at Aldergrove and Eglinton airports to facilitate business and tourist traffic. Those are just some items that a fiscal reform project must examine for the development of Northern Ireland plc.

For Northern Ireland to benefit fully from fiscal reform, we must work with the Westminster Government to seek funding levels that will allow us to take advantage of the present global good will. I mentioned a few areas in which we can make Northern Ireland a more appealing place for investors. I support the amendment.

The Minister of Finance and Personnel (Mr P Robinson): I have listened with great interest to the debate, and it is clear to me that the days of ducking and weaving have gone, and that the days of hiding behind NIO Ministers are over. The time for mature politics has clearly arrived. Every Minister in the Executive and every Member of the Assembly will have to avoid the routine of political adolescence, which allows calls for more resources without coming clean and acknowledging that that will either require higher local taxation or the reduction of resources elsewhere. The test for the Assembly will be found in its willingness to confront those hard decisions in the coming months and years.

The challenges and threats posed by the global economy have been acknowledged for some time. The Chancellor highlighted last week in his pre-Budget statement the importance of improving UK competitiveness, and that applies ever more so to Northern Ireland. With GVA per capita in Northern Ireland lagging behind the UK average by some 20 percentage points, there

must be a concerted effort to improve our international competitiveness.

The key issue for the Executive now is to ensure that it creates a policy environment that will facilitate economic growth and development in Northern Ireland. That growth and development will be achieved only by delivering the 2015 economic vision of an outward-looking, export-orientated, innovative, wealth-generating economy.

A domestic market of 1·7 million is not alone going to provide the basis for higher growth and productivity. Our private sector, with a few notable exceptions, is too insular and reliant on local demand. That has to change. How can we effect such change?

Clearly the Executive will have an opportunity to create an environment that is conducive to economic growth. We need to encourage those sectors and activities that can provide a foundation to compete internationally. That means assisting those individuals and companies who are enterprising and innovative and who have skills and talents that are valuable in a global context; and providing an environment that is attractive as an investment location, with quality infrastructure such as good transport, energy, and communications systems.

The draft Budget that the Executive will shortly issue for public consultation will highlight our commitment to growing the economy. I make that commitment in an environment of ever-tightening public expenditure resources because I believe that a strong and vibrant economy offers the best prospect for enhancing wealth and living standards for all the people of Northern Ireland.

The Executive will obviously consider all proposals that offer the prospect of additional resources, but Members need to appreciate the limited room to manoeuvre that a devolved Administration has when working within the framework of the Treasury's statement of funding policy.

Fiscal policy remains a reserved matter for determination solely by the Chancellor. He jealously guards that role, and the level of tax revenue is closely monitored to ensure that the stability of the UK fiscal regime — including the so-called golden rule — is maintained.

A number of Members have referred to the Varney Review. The Executive has presented a robust case to Sir David Varney, calling for a corporation tax dispensation for Northern Ireland, which would indisputably transform the attractiveness of the region as a place in which to invest.

I understand that Sir David Varney is expected to release his report in the coming weeks. I have not seen any of the emerging findings, but the concerns that the Treasury will have on issues such as repercussiveness and revenue loss should not be underestimated.

If it is any guide to Members, I can say that I have a feeling that there are suggestions that the Varney Report will be more concerned with analysis than recommendations. I also believe that Sir David Varney is likely to leave it to the Chancellor to respond, based on the economic assessment that he has made. Time, of course, will tell.

There are some, limited, policy levers that the Executive can use to generate resources for deployment in the Budget process. Determination of rates and water charges resides with the Executive. Obviously, a balance needs to be achieved as to what people can afford and what is fair on both issues.

5.15 pm

Members will be aware of the release last Friday of the Independent Water Review Panel's report. It covers some complex issues, and I will consider its implications with my Executive colleagues over the next few days. As with many other financial issues, there is a need to adopt a balanced approach in that area.

Members have debated the need for fiscal powers, but we need to appreciate that they represent a double-edged sword. Increasing the tax take in Northern Ireland would generate additional public expenditure, but possibly at the expense of constraining regional competitiveness, making this a high-cost region for companies to operate in. Alternatively, we might decide to lower rates and water charges, but that would reduce available public expenditure, impacting directly on public services for which many Members have lobbied vociferously. Perhaps some Members think that HM Treasury will provide the additional funding, but with a regional fiscal deficit of somewhere between £7 billion and £8 billion, I do not think that there is much hope for help from that quarter.

Let me turn to some of the specific comments made by Members. The proposer of the motion indicated that it was his purpose to keep the spotlight on the economy. That is a worthy purpose, and he set out with the best and most altruistic of motives. However, I think that other events today may have dimmed that spotlight a little. I suspect that the 'Belfast Telegraph' has not held its front page for the outcome of this debate. Nevertheless, he rightly indicated the importance of strengthening the private sector and redressing the imbalance that exists between public and private sectors. That must be a key consideration in the policies advocated and implemented by the Executive.

Mr Neeson and a number of other colleagues referred to industrial derating. I will say a word about that. The Economic Research Institute of Northern Ireland (ERINI) is finalising its report on industrial derating. I have some knowledge of the conclusions that it is moving towards; however, the institute has still some macroeconomic analysis to carry out. I hope that that report will be published before too long, and

that the Committee for Finance and Personnel will consider its contents.

However, I have made it clear elsewhere that I accept the strong arguments that are being put forward in relation to the level of industrial rates. I recognise that there would be some contradiction if, on the one hand, we wanted economic growth and sought to encourage industry in Northern Ireland, while at the same time laying a heavy burden upon it. Those issues will have to be considered by the Executive, and I hope to make a statement on that subject to the House within the next month or so.

The Member for East Antrim Mr Beggs made some comments about what he considered to be the inadequacy of the wording of the original motion. For many Members, there is much agreement on the general issues relating to the economy. There is an agreed analysis of where our economy stands, what needs to be done and what the drivers are. I could support either Mr Beggs's amendment or the motion. The proposers of both want the same thing. However, the amendment will be taken first and, if it is made, the other choice will not fall to us.

Mr Beggs made specific reference to the Varney Review. I have touched on my early feeling for what the eventual shape of that report might be. Mr Beggs and others indicated that they are not exactly holding their breath for the answers to our economic questions to come out of the Varney Review.

At any rate, Members must recognise that the report itself will not be the key element but the consideration and decisions that fall to the Treasury as a result of Varney's findings. Of course, as the amendment suggests, the Executive want to work with the Treasury on the outcomes of the Varney review.

The Member for East Antrim Roy Beggs also raised the issue of small-business rate relief. During a previous Question Time, I believe that I told the Assembly that I had asked ERINI to consider the matter of small-business rate relief. It will do so when its current consideration of other rate matters has concluded. However, it will probably be further down the line before that work is completed. We are all mindful of the important role that small business plays in Northern Ireland. Although a recent ERINI report suggested that business costs in the region are not uncompetitive with those of other UK regions, it is a concern that the Chancellor's proposals on business taxes appear to hinder small businesses disproportionately. Small businesses in Northern Ireland make up a considerable part of the economy, so that will have a detrimental effect. I will highlight that matter and express the Assembly's concern in my engagements with Treasury Ministers.

The Deputy Chairman of the Committee, Mr Storey, appropriately reminded the House of the loss of our former colleague, Mr George Dawson. Mr Dawson

made many contributions to economic debates, which, I am sure, are missed by all Members. I certainly miss his wise counsel.

Mr Storey also mentioned the role of Wrightbus Ltd in his constituency — I am not sure whether that was advertising. Having visited its plant in North Antrim, I am convinced that the business has considerable export potential. Indeed, its StreetCars can be seen in Chicago and elsewhere around the world. That is exactly the kind of business that can lift the Northern Ireland economy.

Mr Storey also referred to the need to stimulate the economy, and pointed to corporation-tax reduction as being one of the mechanisms for doing so. I have consistently warned the House that, although the lowering of corporation tax would be a step change that would significantly encourage economic growth, other mechanisms could be used that may not have such an immediate or powerful effect but that would, nonetheless, be useful. As some of his colleagues have indicated, the Assembly has the power to take certain steps in order to stimulate the economy.

The Chairman of the Committee, Mr Mitchel McLaughlin, referred to economic forecasts. He is correct: the economic forecast until 2015 shows only marginal economic improvement in GVA per capita. However, he and I will agree that that is a reflection of the direct-rule policy framework, which the Executive and Assembly are keen to leave behind. I confidently expect the Executive to set more ambitious targets. If they are not, I am pretty sure that the Chairman and his Committee would ask why. Therefore, we must ensure that the policy delivers those material improvements, which I hope will start with the Budget, the Programme for Government and the investment strategy for Northern Ireland.

Moreover, the Chairman also expressed some doubts, which, I suppose — in a quiet moment — I would share, about the extent to which Sir David Varney might separate himself from some of the thinking that has been a pattern in the past. However, we shall have to wait and see.

The Member for North Antrim Mr Declan O'Loan referred to the fact that our economy can grow by other than fiscal means. There are a whole range of mechanisms that can be employed by the Executive. I take, very strongly, the point made by Mr George Robinson that there is a feel-good factor. However, I warn everyone that the window for a feel-good factor — as regards to Northern Ireland — does not stay open for long, especially in a global economy. Therefore, it is essential that we make full use, and take real advantage, of that window while it is open.

The Member for North Antrim urged me to endorse the policy of merging the IDA and Invest Northern Ireland. He will not be surprised that I do not jump to take him up on his suggestion. Leaving aside the

political issues involved, there are a number of other matters that I ask the Member to consider. We have talked about some of those differences during the debate. The Republic of Ireland and Northern Ireland have different tax regimes. There are different accountability processes, different legal remits, and different funding sources. We need to remember that we are often in competition.

As I said week before last to the Irish Taxation Institute, there is much advantage in greater collaboration and co-operation with the Republic of Ireland in economic matters. However, we should remember that, in many cases, we will be seeking the same jobs and the same type of development. Nevertheless, there will be occasions when working in collaboration with the Irish Republic will be to our mutual advantage. We do not want to miss out on that.

Mr O'Loan: Will the Member give way?

Mr P Robinson: I am short of time, so please forgive me for not giving way. I want to try to cover everyone's contributions to the debate, as far as time allows me.

The Member for Strangford Mr Simon Hamilton referred to the drivers of growth in our economy — skills, innovation, enterprise and infrastructure. He is absolutely right. They go to the heart of our ability to compete in the global economy. He, too, warned that we should not put all of our eggs in the one basket and wait for them to be delivered as part of the Varney Review. There is a lot that we can do for ourselves. That must be the important role that the Executive and their Ministers play.

Mr McCann gave an accurate analysis of the present economic situation in Northern Ireland. He, properly, drew attention to the need to increase the role of the private sector. He said, rightly, that the Assembly needs to do something different. If we continue to do what the direct rule administration did in the past, we can expect the same results. That is why we must consider more radical ways of dealing with those issues. I hope that we will see that in the weeks to come.

Mr McQuillan also referred to the North/South economic issue. I say to him that we in Northern Ireland can have the best of both worlds. We are an integral part of the United Kingdom and of its economy. At the same time, we can take the advantages of the North/South economy. If we can get the best of both worlds, we should by all means do so. In my own community — the unionist community — there exists sufficient confidence to take full advantage of that.

Mr Adrian McQuillan referred to the views of business leaders, particularly, as regards corporation tax. He felt that it was too early to talk about fiscal reforms before the Executive's trajectory had been set. The Executive's policy must be unveiled. We must see the direction that the Executive takes before we begin

to look at some of the wider issues that might come under the heading of fiscal reform.

5.30 pm

Mr Cree made a very worthwhile speech in which he talked about low-wage economies elsewhere in the world.

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

Mr P Robinson: I will.

Mr Cree also mentioned the need to find our own niche market to help the Treasury to create a competitive economy in Northern Ireland.

I trust that Members will continue to remain focused on the economy in Northern Ireland. Over the next few weeks, the Executive will certainly give Members opportunities to debate the matter further.

Mr Beggs: I again thank Mr Neeson for bringing the motion to the House. As we move towards the Budget process, it is important that this issue remains foremost in our minds. However, it is regrettable that Mr Neeson once again advocated tax-varying powers. I remind Members that nearly every time that that term is used, tax-raising powers are often meant. For that reason, I will stick with my amendment, and I hope that the House will support it.

Mr Mervyn Storey noted that the Scottish Parliament has wisely chosen not to use its tax-varying powers because of its fear of the implications that they may have on the Scottish economy. I welcome his recognition of the importance of the word "competitive" in my amendment.

Mitchel McLaughlin highlighted the poor projected growth in our economy that past direct rule administrators set out. There is an obvious need to improve that situation and to introduce changes to enable such an improvement.

Given that Declan O'Loan had no enthusiasm for the motion or the amendment, it is disappointing that he did not table an amendment himself. Should any Members find themselves in that situation in future, I advocate that they consider tabling an amendment.

Mr O'Loan: I did table an amendment, but unfortunately it did not appear on the Marshalled List.

Mr Beggs: Fortunately, the Member did not table a competent amendment. *[Laughter.]*

He advocated merging Invest NI and the IDA, but he did not explain how that would bring about the supposed miraculous change. His argument seems to be stuck in the North/South, all-Ireland agenda, and he does not appreciate the risks and dangers that could arise were companies to experience the tax advantages of another jurisdiction. In fact, some of the companies

that could have chosen to come to Northern Ireland could relocate elsewhere.

Like myself, Simon Hamilton recognised the lack of clarity in the motion and the confusion about the meaning of the expression “level playing field”. He highlighted the importance of the economy’s being at the heart of the Programme for Government. I am sure that we all look forward to learning more about the final shape of the Programme for Government.

Fra McCann highlighted the fact that the level of incapacity benefit in Northern Ireland is 74% higher than average; however, he then advocated supporting the motion rather than the amendment. The proposer of the motion advocates tax-raising powers that will make it more difficult for people on incapacity benefit to return to work. Thus, there is some inconsistency in Mr McCann’s comments. I imagine that he also predictably believes that our problems would be miraculously solved should the IDA and Invest NI merge. Again, however, I did not hear any facts to support that argument.

My colleague Leslie Cree spoke of the global economy, and it suddenly struck me how much the economy has changed in recent years. There is much more world trade and freedom to trade throughout the world than ever before, and we can all take cognisance of that. Mr Cree also highlighted the challenge to the Treasury. Either it will allow devolved regions such as ours the freedom to compete more successfully, or three regions of the United Kingdom will continue to subsidise the other nine, as presently occurs. However, we hope that we will be able to create a more sustainable Northern Ireland ourselves and that subsidisation will not remain forever.

George Robinson highlighted the fact that lower corporation tax levels had attracted high-value industry, high levels of productivity and foreign direct investment to the Republic of Ireland. I am sure that we all wish that we could attract additional spending here.

I thank the Minister of Finance and Personnel for attending the debate and giving us his insight. Like him, I look forward to seeing the detail of the Varney Review. I appreciate his comment that it may well be the Chancellor or the Prime Minister from whom we will subsequently eagerly wish to hear. I hope that Members will support the amendment, as I believe that it proposes better solutions for Northern Ireland’s economy than does the original motion.

Dr Farry: Discussions of the economy have been rare in this Chamber over the six months since devolution, which may be surprising, given the importance accorded to it by so many parties, and indeed, the Minister of Finance and Personnel. I hope that this debate has gone some way to addressing that imbalance. It is not without significance that a special subgroup was set up alongside the Committee on the

Preparation for Government this time last year to examine the economy.

To set the debate in context, the local economy is improving and there have been very respectable levels of growth over the past decade. The current rate of unemployment is as low as it has been for 40 years, and there are tangible signs of growing wealth across society. There are signs of increased investment, and there is no doubt that there has been a peace dividend.

Nevertheless, as other Members have said, there are major structural problems in our economy that must be addressed. Overall, our economy is too small, and on a per capita basis, compared with the Republic of Ireland, we are well behind. At an incredibly high and unsustainable 71% of GDP, our public sector is too large and is well out of line with all the other regions of the UK and other European Union countries. A very interesting table in ‘The Times’ last Thursday set out all those figures in some detail.

Our public sector has been badly distorted by the legacies of conflict and division, and we have a very small domestic market. Northern Ireland’s huge subvention from the UK Treasury currently stands at over £7 billion; over 40% of public spending in Northern Ireland depends on money that is raised elsewhere. The level of economic inactivity stands at an unsustainable 26%, which, again, is well out of line with other regions of the UK. Although there has been growth in recent years, it has tended to be in low-added-value jobs and low-added-value investment.

The fundamental problem was set out by Mitchel McLaughlin: the lack of convergence of Northern Ireland with the rest of the UK economy. Our GVA per capita is around 80% of the UK average. Indeed, it is well short of the GVA of the Republic of Ireland. As Leslie Cree said, the British Government are committed to regional convergence, but more in theory than in practice. There is a “one size fits all” approach that allows nothing to jeopardise the status of London and the south-east of England as the main drivers of the UK economy. My party believes that the British Government are happy to leave the regions of the UK financially dependent, rather than give us the powers to compete on a more level playing field. That would allow us to address social and environmental problems more effectively.

The current capacity of the Assembly permits us to examine issues such as infrastructure, skills improvement, the encouragement of enterprise and entrepreneurship, and the promotion of research and development. As Mr Hamilton said, those are the drivers of the economy that we can control.

The draft regional economic strategy, which was a legacy of direct rule, did not foresee any meaningful convergence of our GVA with the UK average based on the powers that we have.

I appreciate that the Minister of Finance and Personnel will bring forward a comprehensive spending review, and he has already told the House that that will include a revised regional economic strategy. However, without fiscal powers, I am not entirely sure how those underlying predictions can be any different on any tangible and real basis.

Fiscal powers will provide a greater capacity to attract high-value investment, high-value well-paid jobs, to grow the local tax base and to make the local economy more sustainable. Fiscal powers do not relate solely to corporation tax; they might also include powers such as research and development tax credits, — which, admittedly, have not been taken up as effectively as was hoped — fuel excise duty, climate-change levy and also the concept of enterprise zones. Members have also referred to industrial derating, which could also be part of fiscal reforms. If the Assembly were to have fiscal responsibility for tax-varying powers, it could consider other taxation policies. For example, it might wish to raise green taxes that would allow the regional rate to be lowered. That could be done on a tax-neutral basis.

The problem with the amendment is that it restricts the issue of fiscal reform to the Varney framework and, as Sean Neeson and Declan O'Loan said, much more can be done outside the context of corporation tax. Tax-varying powers are a prerequisite if the Assembly is to have the ability to vary corporation tax.

Mr Beggs: Will the Member recognise that the Varney Review entails much more than just corporation tax? It will consider R&D tax credits and capital-investment tax advantages. The review will address more than corporation tax.

Dr Farry: Although that is factually true, Mr Beggs, on the one hand, states his party's support for corporation tax and, on the other hand, rubbishes tax-varying powers. How does he envisage that the Assembly will exercise its ability to vary corporation tax? The Azores ruling is clear; the Assembly will have to take on the power to vary tax in order to deliver a differential rate of corporation tax from the rest of the United Kingdom. That would lead to a loss of revenue, which would need to be made up from local expenditure. The issue is becoming rather confused; some people say that they want corporation tax but are against tax-varying powers. Such a position does not add up. To be straight about the matter: if we want a differential rate of corporation tax for Northern Ireland, we must support tax-varying powers.

Tax-varying powers can mean higher taxes; equally, they can mean lower taxes. Taxes can be lowered with the acceptance that there is less money to spend on public services. As an Assembly, we may wish to make that choice in order to encourage growth in the short term, rather than investing in public services. That is perfectly

fine. Equally, tax-varying powers can produce a tax-neutral outcome. The Assembly may wish to increase green taxes and lower the regional rate. That would be an example of using fiscal powers for a good outcome.

I echo the contribution that was made by the late George Dawson on this subject, and I pay tribute to his economic knowledge. Mr Storey and Mr McQuillan took a conservative approach; they seemed to want to put off the Assembly's setting its stall out for an economic vision of what must be achieved in society. I found that disappointing.

Mr McLaughlin set out the one-size-fits-all approach of the British Government, which is to the detriment of Northern Ireland. I am surprised at Mr O'Loan's lack of enthusiasm, given that he is usually enthusiastic on such matters. He would recognise that the Assembly must discuss the economy much more.

Mr Hamilton and Mr Cree both talked about globalisation and the importance of competing on the basis of high wages, not low wages. I have no argument with that. For Mr Cree's benefit, the Marshall Plan was not a precursor to a global economy on today's scale. The Marshall Plan was about creating political stability in Europe and creating a market for US exports. However, the Marshall Plan took place, not in an open world economy, but in very much a closed world economy.

Perhaps the best comparison is with what happened between 1870 and 1914, a period sadly ended by the outbreak of the First World War.

5.45 pm

These are interesting times as the Assembly awaits the results of the Varney Review. I appreciate the scepticism that many Members expressed about the outcome of that review. However, it is incumbent on us, as an Assembly, to challenge that outcome and any further statement by the Chancellor, should either be disappointing. The Assembly must have fiscal powers in order to make a step change to the economy.

I appreciate the spirit of the amendment, and the Alliance Party will not force a Division on it. It is important that the Assembly sends out a united message, albeit that the amendment is somewhat deficient. A united voice from the Chamber would be most helpful to the interests of the economy.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly calls upon the Executive, on receipt of the report of the Varney Review, to work in conjunction with Her Majesty's Treasury to provide a competitive fiscal framework for business in Northern Ireland.

Motion made:

That the Assembly do now adjourn. — [*Mr Deputy Speaker*]

ADJOURNMENT

Traffic-calming Requirements at Loughview Primary School and Nursery

Mr Deputy Speaker: The Business Committee has agreed to introduce limits on speaking times for Adjournment debates. The proposer will have 10 minutes and other Members will have approximately five minutes, depending on how many wish to speak.

Dr McDonnell: I will be brief, and I hope not to take the full 10 minutes, but thank you for the kind offer.

The main reason for seeking today's Adjournment debate is that I was approached by several of my constituents, who are parents of children attending Loughview Integrated Primary School. There are serious road-safety problems in the area, and parents are extremely worried that a major accident is waiting to happen. An accident could easily occur and cause serious injury to one of their children — or, God forbid, even worse. Thank God that there has been no serious accident so far, but anyone who has surveyed the road layout around the school would realise how dangerous it is.

Most of my colleagues have seen the area, but I will briefly describe it for those who have not. Some 10 or 15 years ago, the area was rural, but it is now becoming urbanised. However, the contour of a narrow country road remains and carries heavy urban traffic. The school is on Church Road in Castlereagh, which is not far from Stormont and close to the boundary between the South Belfast and East Belfast constituencies. It is a highly successful school with a wide catchment area, and it attracts children from both constituencies.

In the past decade, the school has grown immensely from a small base of 26 pupils in 1993 to a 2007 enrolment of some 435 children. The grounds at the side of the school include a well-spaced turning circle off the main road. It can accommodate buses and some limited short-stay parking areas for parents to drop off or pick up their children.

A few children arrive on foot, but the vast majority arrive by bus or car. That generates a massive additional amount of traffic in the area and on the adjacent Church Road during school starting and finishing times. As Members can imagine, it takes many cars and a few buses to transport 435 children. It is almost too dangerous for children to arrive on foot. I plead with

the Minister to try urgently to create the circumstances whereby children living in the vicinity or within half a mile of the school can access it on foot.

In the immediate vicinity of the school, there are two day-care facilities that double up as after-school facilities.

One of those, the Learning Tree, has a roll of over 120 children. The other day-care facility is in the Orange Hall, and over 50 children attend. Both are situated about 30 or 40 yards away from the school, so that creates a complex that is attended by 600 to 650 children every day. In addition, Castlereagh Borough Council's Henry Jones memorial playing fields are opposite the school, so it is a busy junction when the school and the playing fields are in operation. I repeat my earlier point that Loughview Integrated Primary School is on a narrow, winding, country road, close to the junction of Church Road and Manse Road, and about half a mile from Lagan College. It is situated between two bad bends, where the road rises and there is no footpath, so all the hazards are present.

A few hundred yards away, a 30 mph speed limit is in place, where the Church Road meets the Ballygowan Road, near the junction with Upper Newtownbreda Road. A 40 mph speed limit is in place about half a mile on the other side of the school, from Manse Road to Garland Green at Four Winds, to facilitate children going to Lagan College. However, the speed limit for the stretch of road in between, which is the vital part of road for Loughview Integrated Primary School, is 60 mph. Even if the road were clear and there were no children around, traffic travelling at 60 mph would be at risk of having an accident due to the poor road conditions. Thank God, there has never been a serious accident involving a child, and I pray that there never will be. We should not wait until an accident happens — we must do everything in our power to ensure that the circumstances for an accident are avoided before they arise. Parents are worried, and they are right to be.

I reiterate the risks: there is no footpath in the vicinity of the school, which is located on a hill between two bends, on a narrow road. Between 600 and 650 children attend the complex every day; and the Henry Jones memorial playing fields are located across the road, adding to traffic entering and leaving the school at particular times. Like the parents, I am concerned that cars and lorries travel along the road with impunity at speeds of up to 60 mph.

As winter approaches, there is always the added risk of a slippery road surface caused by falling leaves or ice. A long-term solution is necessary, but that would require discussions with the school principal, the board of governors, the parents, and everyone else concerned. The road may need to be widened and the bad bends removed, but that would entail cutting into approximately 20 ft of the Henry Jones memorial playing

fields. Such measures would take a long time; however, in the short term, the speed limit on the road must be reduced to 30 mph, or, preferably, 20 mph, in the immediate vicinity of the school. That limit must be introduced as soon as possible. In fact, I would go further and say that perhaps we should look at other schools in similar circumstances and take —

Mrs I Robinson: Does the Member recall that when members of Castlereagh Borough Council lodged objections to the location of Lagan College and of Loughview Integrated Primary School, we were accused of sectarianism? We said that the locations were unsuitable because the roads infrastructure was hazardous. Improvements costing hundreds of thousands of pounds have now been made to Lagan College. Pavements have been laid, trees have been removed, and a road widening scheme has been introduced. Surely it is unfair that the integrated sector gets the schools where it wants them — in very unsuitable areas — and, when those have bedded down, looks for money to improve the neighbouring roads, which was the very reason we objected to the location of the schools in the first place.

Dr McDonnell: I am happy to debate all aspects of education with the Member on another occasion. However, we are where we are. Fourteen years ago the school was located there. It now has 450 pupils, with around 170 children also attending nursery and after-school facilities nearby. I was not privy to any of the decisions that were made in 1993; therefore, I can consider only the current situation. The school has proven itself and is one of the biggest in the area, so it must be doing something right. Credit for that success must go its principal, the board of governors and the parents. I am all in favour of parental choice, and parents are voting for that school with their feet.

Whether the school should be moved is a moot point. It would be cheaper, and simpler, to widen the road and erect some speed-limit signs rather than relocate the school. Although I specifically mention the speed limit, we must ensure that there is a general improvement in safety outside schools, and we must do that by looking at all schools. Safety outside many schools is very good, but there are some outside which it could be improved. Other traffic-calming solutions may exist, and I compliment the Minister for Regional Development, his Department and Roads Service on their contribution to finding some ingenious solutions. I urge the Minister to do everything possible to make Loughview Integrated Primary School and its nursery school a safe place for its pupils to attend.

Mr Spratt: As a Member for South Belfast, I am speaking on the issue because several of my constituents have contacted me about it. However, the matter concerns the constituency of East Belfast, and I know that its local Member of Parliament has, on a number

of occasions, raised issues concerning the school. A little bit of me — the cynical part — suspects that the reason why the Assembly is debating Loughview Integrated Primary School is that Dr McDonnell thought that there might be a general election campaign under way. Many of the parents of children at that school come from South Belfast, where he would be fighting for his political survival, so he may have thought the school would have been a good topic to debate.

Dr McDonnell: On a point of order, Mr Deputy Speaker. The Member should not be allowed to make those accusations and degrade what is a sensible and intelligent debate about school safety.

Mr Deputy Speaker: That is not a point of order. Mr Spratt, you may continue.

Mr Spratt: I stand by the point that I made. That said, I support the parents' campaign, because the road in question is very dangerous and its safety has been debated for a number of years. I can speak with some authority on the issue, because I am a councillor for the area concerned. I know that the issue has been raised on many occasions, including in meetings of Castlereagh Borough Council. Every party on the council has raised the problems that are associated with the road over a number of years.

As Dr McDonnell mentioned, Church Road is a rural road that must cope with a great deal of traffic. He also mentioned the car park at the Henry Jones memorial playing fields, which belongs to Castlereagh Borough Council and is used by parents of pupils at the school in the morning, at lunchtime and in the afternoon during the week.

That car park was not open on Friday morning for some reason, and one of the parents told me that that created a lot of problems because cars were parked everywhere. It is a dangerous area, as Dr McDonnell said, but that matter has been raised before over the past several years — as I am sure the Minister will confirm. The Roads Service has examined the matter, and I hope that the Minister can confirm that some traffic-calming measures will be put in place. There is a need for more traffic-calming measures around the school, and I hope that the Minister can inform the House that road surveys have been carried out, because the road in question is dangerous, with a considerable amount of traffic, particularly at busy times when the school and the two playschools are operating.

6.00 pm

The need for traffic-calming requirements in that area has been raised on a number of occasions with the Roads Service district manager. He briefs Castlereagh Borough Council every three months, and I have been present at council meetings when members from all political parties have supported the taking of additional

measures in the area of Loughview Primary School. There is no doubt that a footpath would be helpful, because children, some of whom are very small, have to walk 60 or 70 yards from the school to the car park at the Henry Jones playing fields. That is dangerous. Flashing lights have been fitted, but no speed limit is currently enforced in that area. A Presbyterian church, its car park and hall are also beside the school. Occasionally, there is a funeral or a wedding at the church during the day, and that increases the traffic in the area.

As Dr McDonnell said, no one has been injured thus far — thankfully — but a number of minor accidents have taken place, and some folks have told me that there have been many near misses. It is right that the parents have raised this issue, and I know that they have raised it with the school principal, the parents' council and the board of governors. There has been a concerted campaign to do something about this matter.

I urge the Minister to have his officials examine the traffic situation around Loughview Primary School in particular, and to see what additional measures can be put in place to alleviate the problems that are affecting small children who are going to and from school. I support any action that will be taken to address this issue.

Mr A Maskey: Go raibh maith agat, a LeasCheann Comhairle. I support the comments that have been made. Regardless of motivations, concerns or objections, I commend Alasdair McDonnell for securing this debate. I commend the parents and the representatives of the school who have long been determined to raise the issue of traffic management around the school, bearing in mind the danger to the children.

Like the previous two contributors, I am thankful that no children have been injured as the result of any accidents. However, there is a chaotic traffic situation in close proximity to Loughview Integrated Primary School, and, as Alasdair McDonnell said, the Learning Tree day-care facility and the Young Ones nursery are alongside the primary school, and Leadhill Primary School is only slightly further down the road.

Within that small geographical area, are three speed-limit zones: 60mph; 40mph; and 30mph. The Member for South Belfast Councillor Spratt has hit the nail on the head. Representatives of all parties on Castlereagh Borough Council, other elected representatives, the school principal, representatives from the school, and the board of governors have been campaigning for a long time for effective traffic-management provisions at that school. Very often, elected representatives and others are frustrated at the length of time that it takes for decisions of this nature to be taken. I do not wish to rehearse the arguments that have been made, because they have been well put, but there is a danger to the children of that school.

The turning circle at the school facilitates only about 50 or 60 cars and, as has already been pointed out, the school and the two facilities beside it are growing fast, with increasing enrolments. That is good and should be encouraged.

Will the Minister have the Department consider restricting the speed limit around the school to 20 or 30 miles per hour, perhaps on a part-time basis when the children are coming and going? Will the Minister also consider the provision of a footpath outside the school? As Alisdair McDonnell said, it is really a semi-rural area.

Will the Minister also have his officials broker further measures? The school is adjoined on either side by two nurseries, so walkways could be established that might ease pedestrian traffic throughout the day. Those are three simple measures.

Flashing pedestrian lights were installed on the road after previous representations were made, but they have either not been working, or they have been covered. Why have those lights not been repaired? Why do the school and elected representatives persistently have to make representations to have those matters addressed?

I thank the Minister for being in the Chamber this afternoon, and I look forward to hearing his response to long-standing basic demands from the parents and representatives of the area for reasonable speed limits and traffic-management measures to be established around the school to ensure the children's safety.

Mr McGimpsey: I speak as a representative for South Belfast, although I am aware that the school is located geographically in east Belfast. However, a number of the pupils live in south Belfast, and I too have been lobbied and approached by parents over the years about the difficulties of traffic and congestion in that area at busy times during the school day.

I am grateful to Alasdair McDonnell for raising this matter, and I strongly support his view, which was also expressed by Mr Spratt and Mr Maskey, that a modest amount of traffic calming will go a long way to meeting the needs of the area. The road, which was once a rural one, is now in a built-up area with no footpaths and a 60 miles-per-hour limit, and the school currently has well over 400 pupils. That is an awful lot of traffic coming and going to the primary school and the facilities on either side of it. The Roads Service could deal with that matter with a modest amount of investment.

I am grateful that the Minister is in the House, because he could make a lot of people very happy with a modest amount of expenditure. Traffic-calming measures, changing the speed limit, and ensuring that traffic that passes the school does so at a safe speed, are all that is required.

The best people to indicate where the dangers and perils lie are the users of those facilities. The headmistress, the staff of the school and, above all, the parents should be listened to when they point out the dangers in taking children to and from school. The children's safety is the key priority, and that requires intervention by the Roads Service. Plans for the improvement of the road probably exist, and they could be brought forward for a comparatively modest amount of investment. Speed limits and traffic calming will go some of the way towards making the school safer for the people who use it — above all, the children.

Mrs Long: I am speaking as a representative of East Belfast, where the school is located. What Mr Spratt has said about Castlereagh Borough Council's activity must be recognised, as quite a number of demands and requests have been made to Roads Service.

I will outline the history of the situation. The school is located — as other Members have said — on a relatively rural stretch of road. However, it is rural only in the sense that, historically, it was a rural area; the volume of traffic is certainly not of a rural nature. Indeed, the road is a cut-through to what has now become the "outer outer ring" along Manse Road that takes traffic off the main dual carriageway and across from east to south Belfast without having to come as far as the Knock Road junction. Therefore, it is an extremely busy part of the road network.

As regards the work that has already been done, other councillors in Castlereagh, from my party and from other parties, have been campaigning on the matter for a long time, and I will outline some of the stuff that we have been doing of late.

In 2001 and 2002 a petition for the extension of the 30 mph speed limit on Church Road to cover both Loughview Primary School and Leadhill Primary School, both of which were outside the 30 mph speed limit area, was presented to Roads Service. Mr Maskey has referred to the need for quick decisions — there has been no shortage of decisions, but unfortunately they have all been negative. There was also a request for fixed speed cameras. Both requests were turned down at that time, on the basis that it was a rural road and that the fixed speed camera scheme would not extend to it, although mobile patrols were put in at that time to try to control some of the speeding.

In 2002 and 2003 the matter was raised again, and there was a site meeting between Castlereagh councillors, Roads Service and the police. Again, in 2003, any request for traffic calming was refused. In 2004 I again raised the issue, in a letter this time, asking that traffic calming — not necessarily speed humps, but some form of traffic calming — be considered, and that at least a 40 mph speed limit should be extended beyond the schools. Again, that

was refused. We also again requested fixed cameras, and that was refused for the third time.

In 2005 we made enquiries about pedestrian facilities — both crossing facilities and footpaths — on Church Road. Again, that was refused. Roads Service said that it recognised that there was a cluster of activities in the area from schools, play facilities, churches and so on. However, Roads Service said that there was low pedestrian demand, and that the need for land acquisition ruled out a footpath at that time. The issue of pedestrian demand is controlled by the fact that no one in their right mind would walk along that stretch of road at the moment and, therefore, it would be hard to note any footfall along it. If a pavement were there, people would certainly use it.

Roads Service initially agreed to put in flashing lights on the signs for Leadhill Primary School, and that was extended to include Loughview Primary School as part of the safer routes to schools scheme, and I welcome that. There was further correspondence, and Roads Service upgraded the street lighting along Church Road with new lanterns as an interim measure, while it waited for further upgrades of street lighting. Again, the road's being poorly lit was a further concern.

In 2006 there was a further request for some kind of speed-reduction measure. Surveys had been conducted in 2002 and 2005, but again Roads Service said that the road was not wide enough to sustain anything other than traffic humps, which would not be suitable on what it called a rural road. Roads Service did, however, move the 30 mph speed limit by about 100 m towards Manse Road, so it now covers Leadhill Primary School, but not far enough to cover Loughview Primary School. Roads Service did install the flashing warning lights under the safer routes to schools scheme at both schools.

Unusually, I want to pay tribute to some people. Normally when people's names are mentioned in the Chamber, it is to say less than pleasant things. However, I want to pay tribute to John Kee from the Castlereagh section office, who has done a lot of work and dealt with a lot of enquiries over the years on the issue. I also want to pay tribute to Tom McCourt and his predecessor Joe Drew, both of whom have been very active, along with Alan Micklethwaite, who dealt with the issue of street lighting.

Having received further enquiries earlier this year, I talked to the parents who had contacted me. I went through the requests that had already been put and explained the history of the site. I suggested that I was happy to lend my continued support, but that it would be more appropriate to progress the matter through the board of governors and the parent council at the school, as there might be other local solutions that could be introduced. While I welcome this opportunity to raise the issue again, that might be a more appropriate

mechanism to get a resolution. It is important to ensure that whatever measures are suggested have the full support of the parents and the board of governors, and also the involvement of the transport officers from the two education and library boards.

In cases such as Lagan College, which was mentioned by the Member for Strangford, road safety improvements led to the removal of free school transport for a small number of children. They did not benefit from those road-safety improvements because the exceptional hazard was deemed to have been removed. Therefore, the board's transport officers must be involved in discussions.

6.15 pm

Mr Newton: Naomi Long is a councillor who, like me, represents East Belfast. I say "Amen" to the comments she made about those in the Roads Service, and I hope that I get the same favours that she is now bound to get, having paid tribute to them in such a manner.

All Members are concerned about the safety of children as they go to school and all other road users, including pedestrians. We are calling for traffic calming. However, we are not specifying what we mean by that term, which covers a wide range of issues. Devon County Council states that:

"Traffic calming consists of a package of measures affecting the movement of vehicles and other traffic for the purpose of promoting safety, or preserving or improving the environment. The essence of traffic calming lies not so much in the use of specific measures, but in the achievement of the objectives of improving driver awareness and behaviour. Traffic calming is a generic term used in reference to tools used to change the horizontal and/or vertical alignments, introduce narrowing/build outs, roundabouts, entrance gateways or coloured surfacing."

In my experience, traffic-calming measures are usually introduced only after a long campaign to have them incorporated into budgets. Hull County Council states that:

"Traffic calming is usually introduced as part of a local safety scheme or outside schools in an attempt to reduce injury accidents or vehicle speeds. Traffic calming is often part of a 20 mph speed limit zone and can in some cases include traffic calming measures such as speed humps or cushions."

When the Minister and his officials are applying their minds to the introduction of traffic-calming measures, according to East Sussex County Council, they should consider the following factors:

- "the number of reported crashes resulting in injury;
- the speed and volume of traffic;
- whether there are schools nearby;
- the width of the road."

Although I support the need for action in the vicinity of the school, it would be wrong to identify traffic calming as important only for that school area. I am interested to hear from the Minister about how much

money Roads Service has spent on road realignment and traffic-calming measures in the vicinity and what is planned. No single solution can be applied to make the roads safer for everyone; indeed, the potential for several solutions must be considered.

Members have referred to the use of the Henry Jones memorial playing fields and the local Presbyterian church. However, at times when sporting activities or church services, weddings or funerals are occurring, people must be cognisant of the needs of those associated with those facilities. Before any changes are made to roads or footpaths, each factor that I have highlighted must be considered holistically to include all people in the area who use the facilities. It is wrong to isolate and encourage changes only for the benefit of a school.

That, in itself, is probably not the best way forward. The school would obviously benefit, and we are all concerned about the safety of parents and children on their way to the school. We want to make all roads as safe as possible for all road traffic and pedestrians.

Mrs Hanna: Like other representatives for South Belfast, I have been approached by parents who have children at Loughview Integrated Primary School. As has been said, those parents know the bad traffic situation inside out.

I welcome the Minister's being present in the Chamber, and I wish to reiterate what my colleague Alasdair McDonnell has said and add my concerns to the debate. Alasdair painted an accurate picture of the geography of the area and the traffic situation. He mentioned that there is a 60 mph speed limit and that there is no footpath near the school. It has also been said that there is a long history of campaigning with very little to show for it.

Roads Service is aware of the debate, and I hope that officials will report back to us with positive news in the near future. Parents are very concerned about the possibility of a serious accident's occurring. A recent accident reignited the safety campaign, so we must do all that we can to reduce the risk to children.

The Minister for Regional Development (Mr Murphy): Go raibh maith agat, a LeasCheann Comhairle. I welcome this debate, and I thank Dr McDonnell for tabling the Adjournment topic. I thank all the Members who have contributed; they are all familiar with the difficulties that the school has experienced. Most of them have been working to resolve those problems for some time.

I will address in my contribution some of the issues, but I have also asked my officials to take note of some of the points that were raised. For example, Robin Newton asked how much money had already been spent. If there are any points that I am unable to deal with now, I will write to the Member concerned.

I acknowledge Jimmy Spratt's point that, over time, many people have contacted the Department about the need for traffic-calming measures at the school. Yesterday, I received a letter from the school, and I will respond to that in due course. I will also respond to correspondence that I received from parents and other interested parties.

Alasdair McDonnell described the geography, and I am sure that other Members are more familiar with the location of Church Road and Loughview Integrated Primary School than I am, so I do not propose to go over it. As Members have said, the school is on a semi-rural part of the road that has changed over time. The area around the school is subject to the national speed limit from the junction between Church Road and Manse Road for approximately 800 metres towards Ballygowan Road. A 30-mph speed limit is in place between that point and Ballygowan Road, which is a residential area, unlike the upper section of Church Road.

Carmel Hanna referred to accidents. No personal injury collisions had been recorded around the school in the past three years until March of this year, and I accept that recent collisions have heightened concerns.

Over the past few years, my Department's Roads Service has carried out several measures on Church Road that are aimed at improving road safety, including the repositioning of the 30-mph speed-limit signs on the lower part of Church Road to make them more conspicuous and, under the Safer Routes to School initiative, the provision of flashing warning signs and associated bands of red road surface to highlight the presence of the school.

Some Members mentioned the introduction of traffic-calming measures on Church Road, such as road humps. Those are normally only considered for residential streets in a 30-mph area, where the main objective is to reduce the average vehicle speed to approximately 20 mph. Such severe measures would not be regarded as appropriate for a road such as Church Road. Other forms of traffic-calming measures, such as central-hatching road markings with pedestrian-refuge aisles are not possible because of insufficient road width. I know that some Members have argued for widening the road.

Several Members mentioned the provision of a footway. Roads Service has carried out a preliminary investigation into extending the existing footway from the urban portion of Church Road to Manse Road, and Naomi Long mentioned that. I note from the school's survey that few, or no, children walk to school. However, one might say that that is a chicken-and-egg situation — if there were a footpath, more children might avail themselves of it. I accept that that is a valid argument.

However, the initial survey into the provision of a footpath has indicated that such a proposal would be costly due to the extent of accommodation works that would be required at a number of properties; the considerable earthworks that would be required due to the topography of the area; the extensive land take due to the existing steep side slopes at the road edge; and the severe environmental impact there would be, with the loss of mature trees and hedges.

Roads Service also carried out a recent site inspection, which highlighted that one of the flashing school signs was partially obscured by foliage. An arrangement has been made to have that rectified. It was also reported that school flashing signs were not operating properly — Alex Maskey referred to that issue — and I have asked for those to be inspected and reprogrammed to ensure that they are fully operational.

Several contributors mentioned reducing the speed limit. The character of the road is such that a speed limit of 30 mph is not warranted. However, Roads Service officials, in association with the PSNI, have reviewed that section of the road, and I am pleased to advise Members that it has been proposed — subject to completing the necessary legislative process — to introduce a speed limit of 40 mph along the upper section of Church Road, which includes Loughview Primary School.

I also fully appreciate the concerns raised by parents about their children having to walk between the school and the adjoining nurseries: again, Mr Maskey referred to that. However, both nurseries share a common boundary with the school, which would permit the construction of access to and from the school without the need to use the public road. Provision of such access facilities are the responsibility of the owners of the nurseries and the school authorities.

Since entering office, I have received many requests to reduce the speed of traffic outside schools. As a parent, I appreciate that this is a very sensitive topic; and parents are quite rightly concerned about the safety of children going to and from school and the increasing volume and speed of traffic and how that contributes to those concerns.

I assure Members that my Department and I take child safety at schools seriously. Roads Service has installed a range of measures outside many schools to improve safety and has been researching the possibility of introducing part-time speed limits around schools at key times, such as when the children are arriving or leaving. Such a proposal would be aimed especially at roads where the national speed limit applies and where traffic speeds are high.

As part of its studies, Roads Service has investigated experiences in Scotland, where a comprehensive system of part-time speed limits has been introduced

outside many schools. Following its positive findings, Roads Service has been preparing to install pilot schemes at a couple of schools here to determine their effectiveness in reducing speeds. The PSNI has agreed to ensure enforcement at those locations, where the proposal is that a speed limit of 20 mph will be applied.

Depending on the legislative process and the availability of suitable electronic signage, Roads Service hopes to have the system operating in this financial year. Following a comprehensive assessment of the trials, including speed surveys, Roads Service will consider bidding for resources to roll out a more extensive installation programme.

I hope that all the concerns and points raised by Members have been addressed. If not, my Department and I will address them in writing. I certainly intend to respond to the school and to any parents or representatives who have contacted us in writing.

With Roads Service, I am happy to discuss the idea — suggested by several Members — that a holistic approach is required to deal with the issue. There are implications for some of the measures that may be adopted — Naomi Long pointed that out — and we need to ensure that we have a proper consultation process and discussions with schools authorities; transport authorities; Roads Service; the PSNI; and whoever else may have an interest in travelling on that length of road, to enable us to address all those concerns.

I have asked my officials to take note of the Hansard report. Therefore, if I have missed any points that Members raised, I will write to them.

Adjourned at 6.29 pm.

NORTHERN IRELAND ASSEMBLY

Monday 22 October 2007

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

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr Speaker: Members will have noted that the interim Clerk and Chief Executive to the Northern Ireland Assembly, Carol Devon, has taken up her post and is in the Chamber. I am sure that Members will join me in wishing Mrs Devon every success in her new role at the Northern Ireland Assembly.

Some Members: Hear, hear.

Mr Durkan: On a point of order, Mr Speaker. At last Tuesday's sitting, you accepted a point of order from Mr Peter Robinson, who was sitting on the Front Bench as Minister of Finance and Personnel. I and at least one other Member sought to challenge whether Mr Robinson's point of order should have been accepted. You ruled us out of order and did not allow us to make the point that the blue book — 'The Northern Ireland Assembly Companion' — clearly addresses the matter of points of order during ministerial statements or questions. The blue book quotes a ruling by a previous Speaker on 3 July 2000:

"I have already ruled that points of order will be taken after ministerial statements and questions." — [*Official Report, Bound Volume 5, p373, col 2*].

That ruling was changed by the ruling that you made last Tuesday, Mr Speaker. I note that last Tuesday's Hansard report includes your ruling that it was appropriate to take a point of order after a statement, but not during questions.

Mr Speaker, I have read the blue book; I have noted that it refers to a ruling of a previous Speaker on 3 July 2000; and I have looked up that ruling, which is clear:

"I have already ruled that points of order will be taken after ministerial statements and questions. [*Interruption*]"

No, the ruling is that points of order will be taken at the end." — [*Official Report, Bound Volume 5, p373, col 2*].

That clearly meant that points of order would be taken only after questions on the statement had been concluded. Will you enlighten us on the basis of the new ruling?

Mr Speaker: I say to the Member, and I said it here last Tuesday, that the Speaker will decide which points of order he will take and when he will take them. I have made it absolutely clear that the Speaker's advice on all matters in the House is final. I decided — and explained after the issue was raised again — when I would take a point of order. I made it absolutely clear that I would take the point of order after, not during, the ministerial statement or after questions on the ministerial statement.

Mr Durkan: Mr Speaker, do you accept that the previous ruling was that a point of order would be taken only after the questions that followed a statement and that it clearly meant at the end of that process?

There is a further issue in that the point of order that was raised was not a point of order: no Standing Order was cited. [*Interruption.*]

Mr Speaker: Order. I ask the Member to take his seat. I will not answer any more questions on this particular — [*Interruption.*]

Mr Ford: Mr Speaker —

Mr Speaker: Order.

Mr Durkan: Mr Speaker —

Mr Speaker: Order. I made it absolutely clear last week. When the point of point of order was made, I adjourned the sitting for 20 minutes. Everybody in the House would have agreed with adjourning the sitting on the very serious point of order that was raised on a number of legal issues. I felt that it was my duty, as Speaker, to protect this House, and I believe that it has been protected as regards that particular point of order.

Mr Durkan: I have further questions to ask on that matter. When the sitting resumed, you sought to relay to the House the views of the head of the Civil Service. Those views very much had the effect of influencing what some Members may have thought about the statement that had been made. Will you tell the House whether the head of the Civil Service contacted you during that break in proceedings or whether you contacted him? Has a precedent been set that you, as Speaker, will relay advice to the House on behalf of the Civil Service?

Mr Speaker: I am going to move on to the next item of business; I am not prepared to answer any other points of order on this issue. Last Tuesday was a difficult time in the House. I sought to protect the House, which I believe I have done, and to calm people down, which I think also happened. Those were my only interests. When Mr Robinson raised the point of order, my interest was in making absolutely clear that this House was protected legally. I believe that it was, and I ruled accordingly when I returned to the House. Therefore, I am taking no further points of

order on this particular issue, and I am going to move on to the next item of business.

Mr Attwood: On a different point of order.

Mr Speaker: Is the point of order on a different matter?

Mr Attwood: Yes. At the end of the debate on 16 October on the future of the conflict transformation initiative, the First Minister asked, in relation to the rulings of previous Speakers:

“Does there come a time to say “Amen” to those rulings and bury them?” — [*Official Report, Bound Volume 24, p394, col 1*].

At that time, Mr Speaker, you said:

“I am very happy to report back to the House on that point of order.” — [*Official Report, Bound Volume 24, p394, col 1*].

When do you intend to report back to the House on that matter, given that, to my knowledge, there has never been on the Floor of either this Assembly or any previous Assembly such a fundamental challenge to the good conduct of business than when a First Minister says that it is time to “bury” previous rulings?

Mr Speaker: The Member well knows from his own experience that many procedures in Parliaments and Assemblies are based on previous decisions from the Speaker. He also knows that Speakers, Members and staff are guided by such procedures until they are superseded by further decisions. I am going to leave those particular points of order where they are and move on to the next item of business.

Mr Ford: On a point of order.

Mr Speaker: Is your point of order on a separate issue?

Mr Ford: Yes. On 11 September 2007, under Standing Order 18, you ruled:

“I intend to call members of the Executive to ask questions following a statement from a ministerial colleague only in special circumstances. I may still call them as private Members”. — [*Official Report, Bound Volume 23, p255, col 1*].

On 16 October, in response to the Minister for Social Development’s statement on the conflict transformation initiative, you called Mr Peter Robinson — it was certainly in unusual circumstances, and Mr Robinson was seated on his party’s Back Benches. However, the line of questioning that he adopted related to advice that was available only to Ministers. He referred to the Departmental Solicitor’s Office and the Executive secretary. I ask you to consider whether it may be necessary to amplify your ruling for Ministers’ benefit in future, or perhaps you should advise Ministers to keep their arguments to the Executive table.

Mr Speaker: On the afternoon of Tuesday 16 October, it was made absolutely clear that Mr Robinson was speaking as a private Member, which is why he sat on the Back Benches. I have continually said that I cannot

control what Members say in the Chamber. It was made clear that Mr Robinson was speaking not as a Minister or on behalf of the Executive but as a private Member, which is why he sat on the Back Benches.

Mr Ford: Further to that point of order, Mr Speaker, I entirely accept that you called Mr Robinson as a private Member. However, his line of questioning was that of one Minister to another Minister. Will you consider whether your ruling was complied with adequately?

Mr Speaker: I cannot be privy to the information that any private Member may have on any issue. When Mr Robinson spoke, I was not privy to what he might say. The difficulty is that, on many occasions in the House, neither I, as Speaker, nor the Deputy Speakers know what Members may say or do. In procedural terms, I am satisfied that on the afternoon of 16 October, Mr Robinson spoke as a private Member.

Mr Durkan: Further to that point of order, Mr Speaker, when you resumed proceedings after the suspension, you told the House that you had spoken to Nigel Hamilton, the head of the Civil Service, who had some concerns. You also said that you had spoken to:

“other members of the Executive, who also expressed some serious concerns about the matter and about the Minister’s statement.” — [*Official Report, Bound Volume 24, p389, col 1*].

I understand that that included the Minister of Finance and Personnel, Mr Robinson. Surely the points that he raised, supposedly as a Back Bencher or an ordinary Member, were exactly the same points that he raised as a member of the Executive.

Mr Speaker: That is not at all correct. I made it absolutely clear that I had spoken to my officials and to a number of people; the protection of the House was uppermost in my mind, and I had to be absolutely clear that the House was being protected. The legal advice was that no procedures had been broken and that the ministerial statement, and questions from Members, could continue.

Mr Durkan: With due respect, Mr Speaker, that still does not answer my question on whether the points that were raised by Mr Robinson as a private Member were the same points that he raised when he spoke to you during the suspension of proceedings as a member of the Executive, and he did speak to you during the suspension as a member of the Executive

Mr Speaker: What Members say to me in my office will not be discussed in the House. All Members, on all sides of the House, would respect that.

I am not taking any further points of order on the issue.

Mr Durkan: Further to that point of order, Mr Speaker —

Mr Speaker: I am taking no further points of order on this issue.

MINISTERIAL STATEMENT

Review of Water and Sewerage Services

Mr Speaker: I have received notice from the Minister for Regional Development that he wishes to make a statement regarding the Executive's response to the Independent Water Review Panel's strand one report.

The Minister for Regional Development (Mr Murphy): Thank you, a Cheann Comhairle. Before I make my statement, I offer my condolences, and the condolences of the House, to the Quinn family in Cullyhanna on the tragic death of their son Paul. I unreservedly condemn what was a brutal murder, and I call on anyone who can provide any assistance to the investigation into that criminal act to make that information available to either An Garda Síochána or the PSNI.

12.15 pm

I wish to make a statement on the review of water and sewerage services and, in particular, the Independent Water Review Panel's strand one report. On 11 June, I announced the terms of reference for a review of water and sewerage services, following the Executive's decision not to impose direct rule water charges in 2007-08 and to conduct an independent review of those services. The terms of reference set out a two-strand approach. The first strand, to be reported on in the autumn, concerned the costs and funding of water and sewerage services. The second strand of the review, covering the structures and governance necessary to deliver water and sewerage services, will be reported on in December.

Following receipt of the independent panel's strand one report on 1 October, I consulted the Committee for Regional Development and the other statutory partners, and briefed trade union representatives. I am grateful to all those to whom I spoke for their constructive comments and for the speed with which they made written contributions. I must pay particular tribute to the Chairperson, Deputy Chairperson and members of the Regional Development Committee for their constructive approach.

The report and the comments of the consultees were discussed by a subcommittee established by the Executive to oversee the process. The subcommittee, comprising the Finance and Personnel, Employment and Learning, and Social Development Ministers and me, met on 15 October. A further discussion involving the full Executive took place on 18 October.

Before turning to what has been decided, I must also pay tribute to Paddy Hillyard, who has chaired the independent panel with great commitment and integrity. He has been admirably supported by Joan Whiteside, Charles Coulthard and Professor John

Fitzgerald. Through the collective application of their knowledge and experience, they have produced a report that offers us an opportunity to reform our water and sewerage services in a better way than that proposed by direct rule Ministers. The panel has taken great care in its work, and the report bears careful reading.

I particularly want to draw attention to Paddy Hillyard's foreword. Referring to the floods that caused so much hardship in June, he concludes:

"we need to reduce our carbon footprint and develop sustainable ways of delivering clean water and disposing of our sewerage. 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."

That is an important message that we must not and cannot duck. We were elected because our people had had enough of being governed from a distance. We were elected because people had confidence in our ability to take hard decisions on their behalf. Now that we have been elected, we must repay that trust by having the courage and commitment to make those hard choices.

Turning to the report, the Executive have welcomed the finding that ratepayers have paid a substantial annual contribution towards the cost of water and sewerage services. The panel found no evidence that the change in the rules in 1998 that removed the direct link between the regional rate and water and sewerage services was ever properly explained to the public. That vindicates the position that all the local parties took during direct rule.

The Executive have accepted the recommendation that, from 2008-09, there should be full recognition that domestic regional rates revenue makes a contribution to the funding of water and sewerage services. The panel has estimated that amount, based on an uplift of the 1998 position to today's prices, at around £109 million. That equates to an average household contribution of around £160. That figure is consistent with the Finance Minister's own projections of what domestic ratepayers are contributing to the funding of water and sewerage services. In 2008-09, that will be the only household contribution to those services, the balance being paid from the Northern Ireland block grant. That represents the Executive's commitment to tackling the inequity of double charging.

The review report notes, however, that the revenue from the regional rate does not cover the full costs of water services. To deal with that, the report proposes that consumers should make an increased contribution to cover the costs of water and sewerage services. The report makes the case that, without the uplift of what people currently contribute, other public services will be deprived of funding. The Executive have recognised that and agreed that, from 2009-10, there will need to be additional contributions from householders. The panel has suggested that these additional contributions

should come into effect in full for domestic households from 2009-10. We have concluded instead that they should be phased in, with domestic households paying two thirds of their full liability in 2009-10 and the full liability the following year. However, the amount due to be collected from domestic households will be reduced by the amount of the contribution that households already make via the rates: £109 million, or an average of £160 per rates bill. That means that there will be no double payment.

The Executive have noted the proposal that a single bill should be issued to consumers, with rates and water and sewerage charges separately identified. Further analysis by the Regional Development and Finance Departments will be necessary in order to determine how that might be done and to assess the implications for existing billing arrangements and contracts.

The Executive have also noted the panel's recommendations on the way in which payments for services should be made in the future, but have reserved their final decision until the panel has completed the second strand of its report. The panel will have more to say in its second report on the detail of affordability arrangements for vulnerable groups. All that has been agreed now is that additional contributions from households will be necessary from 2009-10, but that there will be robust arrangements to protect the vulnerable in society from hardship and water poverty.

The proposals put forward by the direct rule Administration entailed the extension of water charges to all non-domestic customers, the phasing out of the current domestic allowance and the introduction of sewerage charges for all non-domestic customers. For 2008-09, that would have entailed charges of two thirds of the full level. However, the Executive recognise the challenges and difficulties faced by the non-domestic sector and have decided to phase in the new charges more slowly at 50% of the full charge in 2008-09 and 100% in 2009-10.

The Executive will also endeavour to reduce the burden on consumers, both domestic and non-domestic, through delivering efficiencies and by attracting further revenue sources.

In conclusion, the Executive have been committed to not privatising water and sewerage services and to tackling the injustice of double taxation. On behalf of the Executive, I am happy to reiterate that commitment today and to confirm that it is from that standpoint that we have considered the report of the independent panel. The position that I outline today, on behalf of the Executive, provides a firm basis for delivering a better deal for all water customers than that proposed by the direct rule Administration. There is, however, a great deal of work to be done by the Executive, the independent panel, the Committee for Regional

Development and all the stakeholders. With goodwill and commitment from all parties, I am confident that we will achieve our goal of better services at an affordable cost. Go raibh mile maith agat.

The Chairperson of the Committee for Regional Development (Mr Cobain): I thank the Minister for his statement. The Committee has written to the Department to say that, in its scrutiny of the report, it finds that there is insufficient information in the review for the Committee to be able to form a view on it. Until the Committee sees the second report of the panel in December 2007, no final decision can be taken by it.

For the Minister to announce today the introduction of water charges without any debate in the Assembly is absolutely ridiculous. It is a new tax, and there is no indication of the basis on which the tax will be charged or of how much will be collected by those charges. There is no doubt that tens of thousands of those people on the lowest incomes will be worse off and will face water poverty. That is what has been announced today.

Will the Minister give a guarantee to the House that individuals who at the moment are free from any charges through the regional rate will not be any worse off when water charges are introduced?

Mr Murphy: I thank the Chairperson for his question. I must note that the Committee welcomed the report as an important first step in dealing with the issues, particularly those that he outlined with regard to the vulnerable and the less well off. It is, of course, open to the Chairperson and to any other Member if they wish to debate the issue and bring a motion to the Floor of the House. If the Chairperson of the Regional Development Committee were to do so, it would be particularly relevant. I am quite happy to debate any such motion.

I am obliged, under the programme that was outlined and agreed with the Committee and other stakeholders, to make a statement to the House following the Executive's decision on the budgetary implications of the panel's first report. The Chairperson knows well that the members of the panel — particularly the chairman, Paddy Hillyard — are people with great experience in dealing with issues of water poverty, who know how the imposition of the direct rule proposals would have affected the most vulnerable in our society. They have undertaken, as part of the second strand of their report, to focus on affordability issues and on how such propositions might be mitigated to ensure that those who are least able to pay do not suffer. I fully expect the panel to bring forward very robust propositions, and I expect the Executive to concur with them.

The direct rule proposals, as we have said from the outset, were unfair and unjust and would have imposed a double taxation on people. This Executive set the panel a job to do and have endorsed its key

recommendations. I believe that we are tackling the injustices of privatisation and double charging, and we will ensure that those who are least able to pay are protected in whatever measures are recommended in the second report.

Mr Wells: Is the Minister aware that a motion has been put forward in the name of the Chairperson of the Committee for Regional Development to debate this very important issue? It would have been preferable had that debate been held before his statement on the decision. Will the Minister accept that some of what he has told the Assembly today is predicated on a very stretching efficiency target of 40% having been set for Northern Ireland Water? Has he taken into account, in the figures that he gave us today, that that is an extremely difficult target, which it may not be possible to meet?

Furthermore, the major item of the review panel's report was that future payments should be based on the capital valuation of the individual's property. Will the Minister accept that that proposal will cause enormous problems to those who are asset rich but income poor and that it will simply repeat the earlier problems when it was proposed that rating should also be based on capital valuation? With regard to the review panel's second report, will he assure the House that adequate protection is built into any proposal for an affordability tariff to ensure that those who are unable to pay do not bear an unfair brunt of this new tax?

Mr Murphy: I thank the Member for his question, and I note that a motion for debate has been put forward. The method for rolling out the process was discussed with the Committee for Regional Development, and I outlined my intention to make a statement following the Executive's decision. At that stage, there was no mention of a debate; however, I am happy to come to the House and debate the issues with members of the Committee.

The targets concerning efficiencies are demanding. One implication of the Executive's decision to roll out progressively the possible domestic contribution gives an additional year to reach some of those targets. Therefore, there may be scope for discussing them with the water company.

On many occasions, I have heard Mr Wells's points on those who are asset rich and income poor, and there is a debate on basing contributions on the capital valuation of houses. As part of the second phase, the panel has undertaken a particularly focused exercise in relation to affordability and will look in particular at how its proposals will impact on those least able to make a contribution. There will be an opportunity for the Committee, and any other party or individual Member, to discuss those propositions with the panel. I expect the panel to bring forward robust propositions in

December, and those will be debated by the Executive and by the House.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo chuid buíochas a thabhairt don Aire do a ráiteas agus ár gcuid buíochas don Roinn don chuid oibre atá déanta aici. I thank the Minister for his statement and put on record Sinn Féin's appreciation of the review panel's work. It is an important and positive first step in the rolling back of the proposals of direct rule Ministers. Will the Minister assure the Assembly that the misuse of the regional rate will never happen again? Furthermore, I ask him to reassure the House that the implementation of the report will herald the end of paying twice for water and an end to water poverty.

Mr Murphy: I thank the Member for his question. The Executive's statement, when they had agreed the panel's terms of reference, was very clear. One of the issues that had poisoned the direct rule propositions on water were — if Members will pardon the pun — suspicions about the privatisation of water and sewerage services. Moreover, people felt that the contribution historically made by households through the regional rate was not recognised in what they were being asked to contribute for water and sewerage services and that their having to pay twice was deeply unjust.

The review panel's report and the decisions taken by all the Ministers in the Executive address those concerns. The issue of privatisation was dealt with from the outset, and all the parties expressed manifesto commitments to tackling the injustice of a double taxation for water. That issue has been addressed, will continue to be addressed and will not reappear on the agenda.

12.30 pm

Mr Dallat: I too welcome the Minister's statement, particularly his undertaking to support the Committee's tabling a motion for a take-note debate and its seeking an assurance that he will be influenced by the outcome of that debate.

I note that the Minister has not referred to metering. Does that mean that he agrees with the panel that, although metering is an environmental issue, it would increase the cost of water considerably but have no real benefit for those who can least afford to pay?

Mr Murphy: I thank the Member for his comments and for his welcome of the panel's report.

I firmly believe that metering will have to be debated publicly over the next few weeks and months. It will certainly have to be discussed in the lead-up to the publication of the second phase of the panel's reports. There are issues to discuss: for example, some people assume that capital value is an unfair means by which an assessment can be made, and that metering is fairer. Metering was very much part of the direct rule

propositions, but I suppose that it must have got lost among them.

Several parties, including the Member's and my own, had concerns about metering. It is assumed that it will lead to greater water conservation and reduced water charges. All those assumptions can be challenged. I look forward to talking about the matter over the coming weeks and months, and perhaps the take-note debate that the Member mentioned would be a useful place to start such discussions. I have asked other stakeholders to discuss metering in the few weeks and months that lead up to the publication of the panel's second-phase report.

A debate on the matter is necessary, given that several challengeable assumptions were made about metering, such as what it can contribute to the environment, the reduction to bills for water and sewerage services that it will cause, and its tendency towards encouraging water conservation. All those assumptions can be challenged, and I look forward to that take-note debate.

The Executive have not taken a view on that position. However, they can — and I expect that they will — do so when the second phase of the panel's report is published in December.

Mrs Long: I thank the Minister for his statement. However, it is premature, given that the Assembly has not had the opportunity to debate the outcome of the report. However, I am at least grateful that the Minister was able to clarify that we have a situation in which a Minister is speaking on behalf of the Executive.

Does the Minister not agree that any charge that is linked to the value of property is, by definition, a regressive form of taxation? Does he further agree that, even with affordability adjustments, vulnerable groups and those who are on fixed incomes, and whose house prices are rising, will be hit? Will he comment on how the proposals meet the requirements of the EU Water Framework Directive, which is aimed at encouraging the conservation of natural resources?

Mr Murphy: The reason for my statement on the review is that the Executive's discussions on the Budget have meant that they had to make several key decisions; Members will know that such key budgetary decisions must be made this week. Therefore, there was real pressure on the Department. We announced at the start of the process that there would be a two-phase review, one of which would deal with the clear financial implications of the panel's recommendations.

As a result, we had to make decisions this week on how we would proceed with paying for water and sewerage services over the next few years. Therefore, the time frame for discussing the matter was constrained. We acknowledged that at the outset, and that is the reason that we held discussions with the Committee for Regional Development, in particular. Obviously,

the parties that are represented on the Executive speak for the majority of Assembly Members, although I appreciate that they do not do so for those on whose behalf Mrs Long is speaking. Therefore, the time frame in which we could have held meetings was constrained. However, such constraint was necessary, given that decisions had to be made.

The Member mentioned bigger issues such as capital values and metering. We will now have the opportunity to debate those in the House. The panel made it clear that the second phase of the report will examine very closely affordability and how an increased contribution from domestic consumers towards water and sewerage services can be mitigated in order that the worst off do not suffer as a result of the charges. As I said, the panel comprises people who have a broad range of experience — particularly the chairperson — on matters that relate to water poverty. I am confident that the panel, in engagement with the parties that have an interest in the matter and with all the other stakeholders, will draw up robust affordability propositions that the Executive can consider and that the Assembly can decide on.

Mr Moutray: Given that many thousands of senior citizens throughout Northern Ireland have indicated that they wish to have water meters installed in their homes, will the Minister give an assurance that that option will still be available to those people who are over the age of 60 who wish to avail themselves of it?

Mr Murphy: That option is enshrined in current legislation, and it is to that legislation that the water company operates. Until the Executive decide otherwise and introduce their own legislation, that will remain the case. The Executive must decide whether they wish to pursue a different objective for pensioners, and it would be up to the House to agree any new legislation.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and the review panel for its strand one report. Can the Minister assure us that the panel will have adequate resources to complete strand two, given that the original consultants had £7 million with which to carry out their review?

Mr Murphy: The panel has been allocated a sufficient budget in order to carry out its work, and I appreciate the fact that the panel was allocated that budget. Great credit is due to the panel: we gave it an onerous task, which it got down to very quickly. Panel members applied themselves, with great integrity, to their work.

A budget was set aside that we considered sufficient. The fact that the panel has yet to eat significantly into that budget shows that it has sufficient resources to carry out the remainder of its task.

Mr G Robinson: Does the Minister feel that to levy water rates based on the value of a property alone is a

fair system? Does it take into account people's ability to pay?

Mr Murphy: I beg your pardon, Mr Speaker, but I did not hear the Member's question. If he repeats it, I shall answer it.

Mr G Robinson: Does the Minister feel that to levy water rates based on the value of a property alone is a fair system? Does it take into account people's ability to pay?

Mr Murphy: The panel looked very hard at the issue and considered payments based on that system to be fairest. The Executive had to make a number of decisions about the panel's budget and about how that would roll out over the next number of years. The Executive have not concluded the discussion on the issue that the Member has raised. They will discuss the matter further with the panel and with other interested parties.

Naomi Long is still in the Chamber; I thought that she had left. Mr Speaker, I neglected to deal with a point that she raised about the EU Water Framework Directive. Article 9 of the directive says that pricing policies should promote a sustainable use of water. The panel's proposals will enable us to achieve that aim.

Mr McCallister: In the light of his saying that he does not want a double taxation, does the Minister accept that households that have a private well and a septic tank would be paying for a service that they do not receive? I refer particularly to farming families. Considering that they will be paying a standing charge for the use of a water meter anyway, will the Minister guarantee that such families, and their businesses, will be allowed to pay using a meter after he removes their domestic allowance?

Mr Murphy: The Member may be straying into areas that will be dealt with in the strand-two report. Suffice it to say that we wanted the fairest proposition for all customers, both domestic and non-domestic. The Executive were very keen for some of the savings that have been identified in the panel's report to be spread between domestic and non-domestic customers. We are looking at ways in which to reduce the burden right across the board.

Therefore, some of the affordability issues that the Member has raised into the specifics of non-domestic use must be looked at, because we do not want to ignore one section of our community, in particular the farming sector. We are straying into what will be considered in the strand two report, but I look forward to hearing the Member's views when that analysis kicks off.

Mr O'Loan: I notice that, in his statement, the Minister accepts the panel's figure of £109 million already being built into the rates to cover water charges. That figure equates to £160 for each household. Those

calculations go back to a time when an hypothecated figure for water was included in our rates.

A lot has happened in the meantime, including an increase of as much as 19% in one year in the regional rate. Will the Minister ensure that there is independent analysis of that figure before he commits to it? It may well be that a greater figure ought to be built into the calculation.

Mr Murphy: I consider the panel to be independent assessors. The figure it came up with concurs with that proposed by the Department of Finance and Personnel, as regards expressing the 1998 figure in today's values. Therefore, I assume that it is accurate. The fact that the panel, which is independent and outside Government, came up with the same figure gives us confidence in it. That is not just my analysis. Last Thursday, the Executive agreed that that is the figure that will be considered as part of the contribution.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. Will the Minister assure the House that moneys gained from the sale of surplus assets already identified will be reinvested in the water infrastructure?

Mr Murphy: Assets should be disposed of in order to maximise benefits to customers. We will ask the regulator to undertake a review of the assets of the water company. I note that the Committee for Regional Development, on which the Member sits, observed that it is not in anyone's interest to indulge in a fire sale. Nonetheless, it is important that surplus assets are disposed of properly and that the resulting money is reinvested in public services.

Mr Irwin: I have problems regarding the levels of water wastage through system deficiencies. Will the Minister give an assurance that every effort will be made to deal with that problem?

Mr Murphy: The water company needs to address water wastage. When talking about water metering and the volume of water that households use, some Members observed that there was a primary responsibility on the water company to ensure that wastage was addressed. The company has set out a programme to achieve that and is on course for substantial improvement. However, we will need to keep an eye on that. I have no doubt that the panel will examine the issue closely during the second phase of its assessment. The Department is keen to ensure that the water company lives up to the expectations of the public, the Assembly and the Department and that it will address the issues seriously.

Mr Beggs: The Minister has referred to article 9 of the EU Water Framework Directive. Will he explain how basing charges for water on house values will encourage conservation? I do not see how it will. Has he received written confirmation from the European Commission that it is willing to accept basing charges

for water on house values? In my opinion, it is a breach of the European directive.

Mr Murphy: The Department has its own analysis of the EU Water Framework Directive, which is that it is not necessarily in breach of any European directive. Further discussions about what may come from Europe on that matter are ongoing.

The Member assumes that the only way of conserving water is through a metered system. There are contrary views: there are other ways to conserve water and encourage the conservation of water. It is appropriate that, in the coming weeks and months, we have a debate about what people presume to be the benefits of metering — water conservation, lower bills and contribution to the environment — as opposed to other measures, which may also encourage water conservation.

Mr Durkan: I welcome the Minister's statement and join him in paying tribute to the work of the panel. My party was the only one to make a submission to the panel and to meet with it.

I return to the point raised by my colleague Declan O'Loan. The Minister's statement says that the amount estimated from the regional rate to contribute to water and sewerage services is around £109 million, which equates to a household contribution of £160, and is based on an uplift of the 1998 position to today's prices. I ask the Minister and the Executive to address the fact that the increases of 7% in three successive years, introduced by direct rule Ministers in the late 1990s, were justified entirely on the basis of increasing water costs. The 19% increase last year was justified in similar terms. There is, therefore, reason to question that figure.

Can the Minister assure the House that the measures that will be taken on affordability will not be temporary? Under direct rule, the indication was that the Treasury would do away with the affordability tariff after a few years. Similarly, although the Minister has given the right assurances on privatisation, is he aware of Treasury plans to pursue and press for subsequent privatisation? What assurances can he give the House on that?

12.45 pm

Mr Murphy: I will repeat my previous response: the panel is independent. It approached its review from outside the Department. It was important, when it was established, for the panel to be given independence from Government in order to allow it to carry out the necessary scrutiny. It employed economists to assist in its analysis, which concurs with the figure that the Department of Finance and Personnel provided.

Robust work must be done on the affordability tariff. The panel contained people who have a strong knowledge of water poverty and how it can affect the most vulnerable in society. The Assembly has a duty to

protect those vulnerable people. It must ensure that people can make increased contributions in order to meet the necessary investment in water services. People have accepted the panel's assertion that if the money were to be taken from the Budget, that would have severe implications across all Departments. Therefore, the proposition is that those services must be paid for through increased contributions. The Assembly has a duty to ensure that that does not adversely affect those who can least afford it.

The Department had to make a clear statement on privatisation even before the panel had started its work, because part of that work was to bring a degree of public confidence to the discussions that had not previously been present. The panel members are people of integrity, and it is a great credit to them that they have managed to achieve a degree of public confidence in how they are dealing with the issue. As long as I am the Minister for Regional Development, it is my intention, and that of the Executive as long as they are in position, that privatisation will not, and never will be, back on the agenda. I expect that that will continue to be the position and that any attempt by the British Treasury to revisit the exercise will be resisted accordingly.

Mr B Wilson: I thank the Minister for his statement and welcome the fact that there will be no separate water charges. However, I am concerned about the figures for 2008-09. It appears that there may be a black hole in the figures and that additional revenue can be raised only through a large increase in the regional rate. That is unacceptable. Rates are aggressive, and no account is taken of ability to pay. The burden falls heaviest on pensioners and people who are on fixed incomes. Therefore, can the Minister assure the House that there will not be any increase in the regional rate to meet any shortfall, and that any shortfall would not be met through cuts in other services?

Mr Murphy: The Member has asked a question that strikes me as being rather contradictory. If a shortfall is not picked up by the customer or by the Department, where does he expect it to be picked up? He cannot take both sides of the argument at the same time. He has asked that I ensure that neither the public nor Departments have to pay for the shortfall. Does he expect Santa Claus to come along and pay for it in the interim?

If Members want to approach the debate rationally, they must be honest and upfront. How can a service not be paid for either by Departments or through the proposition that the shortfall be met by the block grant for 2008-09? That has implications for Departments, and how could it not? Therefore, we must be upfront and honest, which I have tried to be in the debate, about the difficult choices that are to be faced and must be taken. Those who try to play both sides of the

argument at the same time will be exposed as not having a sensible argument for the way forward.

Dr McDonnell: The Minister has rightly said that there will be robust arrangements to protect the vulnerable in our society from hardship and water poverty. Can he guide the House on what those robust arrangements might be? I accept that Santa Claus will not pay for any shortfall. However, last night, a letter was posted through my door from Mr Howard McKeown, who is a retired civil servant. It is an impassioned and pleading letter in which Mr McKeown says that he will be forced to leave his home because of water charges and rates.

I return to the point that, while there are those at the bottom end of our society economically who are in hardship and who need to be protected, equally there are those on the other side of the coin who may be asset-rich — living in a highly rated house — but living on meagre pensions, like that man on his Civil Service pension. Are we going to ask him to leave his home as those charges build up? It is a challenge for the Assembly to try to keep our society stable and — whatever way the charges are introduced, whatever way water is paid for — to ensure that people do not have to lose their homes. What answer can I give to Mr McKeown as I sit down this afternoon, or tomorrow, to write him a letter?

Mr Murphy: Far be it from me to compose the Member's letters for him. Perhaps the central point in my statement — and I am surprised that it has not been picked up before — was that affordability tariffs will, of course, have to be considered in a robust fashion. That is part of the second phase. The report recognises, and the Executive recognise, that there was a historic contribution being made from the rates towards water and sewerage services. That contribution has been recognised and accepted. That means that, when that contribution goes towards water and sewerage services, the rates bill will fall by the measure of that contribution. I presume that when people have read the report, they will recognise that as a central factor. The fact that the Executive have taken that decision is very welcome.

I heard other people talking on the radio — including some people who are sitting in the Chamber today — about the propositions in the report, and they had got the sums completely the wrong way round. The rates will be reduced by the contribution that has been made over the years towards water and sewerage services. I fully accept what the Member has said: we have a responsibility for ensuring that, as we struggle to finance necessary investment in water and sewerage services — and all the other programmes that the Executive must try to find money for — that does not impinge in a negative fashion on those who are least able to afford to pay. That is a challenge for us all. It will pose a challenge to us throughout the Budget discussions and the second phase of the panel's work.

Nevertheless, it is a challenge that we are well capable of meeting, because people here have a genuine concern about those who are least able to pay in our society. We have a duty to protect them.

Dr Farry: Further to the answer given to my colleague Mr Wilson, I remind the Minister that the financial situation inherited by the Administration made no provision for water charges within the rates — on the contrary, there were to be separate water charges. Therefore, there is a financial black hole that has to be addressed. Will the Minister be straight with the public of Northern Ireland and tell them that the only way in which those costs can be met is by a subsequent rise in the regional rate or a cut in public services? Otherwise, the sums simply do not add up.

Mr Murphy: It is interesting that Dr Farry talks about the sums adding up. He is the person whom I heard on BBC radio getting the sums completely and utterly wrong. He talked about £160 being added to the regional rate bill, rather than recognising that £160 would be taken off the average regional rate bill. He is not in any position to lecture us about the sums. When he was on 'The Stephen Nolan Show' pontificating on the matter, I was tempted to ring in myself. However, I was obliged not to comment publicly on the report until the Executive had dealt with it. I was tempted to ask Dr Farry to go back and read the report properly and to do his sums properly.

The central feature of the issue is that there is a recognition that people paid for water — that they made a contribution towards water — out of the regional rate bill. That will be accepted and recognised. If that is moved towards a contribution to water, the regional rate bill will fall accordingly.

MINISTERIAL STATEMENT

Review of Recruitment in Speciality Medical Training

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): On 22 May, I commissioned a review of the problems that were encountered as a result of the recruitment process for junior doctors into speciality training. Many of you are familiar with the well-publicised difficulties that centred on the use of the national online recruitment process, the medical training application service (MTAS). That process was heavily criticised across the UK as it was felt to exclude highly qualified candidates from successful appointment. In addition, there were widespread concerns that the new process would lead to hundreds of junior doctors' being unemployed and that, as a result, hospitals would be thrown into crisis.

Further, it was predicted that hundreds of doctors would be permanently locked out of speciality training and left in limbo.

As a result of those concerns, I took urgent action to address the problems locally. The first step was the abandonment of the MTAS process. We then secured consultant commitment to extending the local interviews process to complete recruitment as a matter of urgency. Later, I will detail how those concerns have been fully addressed.

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

On 22 May, I made a commitment to a full examination of all the difficulties arising from the recruitment process. I set up a review and asked Professor Randall Hayes of Queen's University to chair the review group, to look at the difficulties and to chart a way forward. The review group drew its membership from across the Health Service, the British Medical Association (BMA) and the Department, thereby reflecting a wide range of backgrounds and expertise. In keeping with my commitment to report back to the Assembly before the end of October 2007, I have today placed in the Assembly Library copies of the Review of Recruitment into Speciality Training in Northern Ireland 2007.

As Minister of Health, Social Services and Public Safety, I wanted to be assured that patient care had not suffered because of the deficiencies in this process; that our Health Service continued to operate safely and effectively at the traditional junior doctor start date of 1 August; and that a way forward for 2008 would be determined involving a recruitment process that enjoyed widespread confidence throughout the service and, locally, from the medical profession. I also asked Professor Hayes to examine the wider concerns that arose from the recruitment process, the perceived inflexibilities of the new training programmes and the

effectiveness of medical workforce planning. I was also keen that he took account of developments elsewhere in the UK, including the Independent Review of Modernising Medical Careers, which is currently being carried out by Sir John Tooke.

The review team was set a challenging timescale. It met and took evidence from all key stakeholders over the summer months. Professor Hayes met Sir John Tooke, who, on 8 October, published the interim findings of his review of modernising medical careers. I want to express my gratitude to Professor Hayes for his leadership, to the review team for their commitment to completing this review in a short time, and to those who gave of their time and expertise in contributing to the work of the review.

The report contains 29 separate recommendations under the following headings: recruitment, speciality training and medical workforce planning. I want to outline today the main findings and the actions that I will take. First, the review found no evidence of any detrimental impact on patient care. Nearly 700 junior doctors with the necessary skills and expertise to provide high-quality treatment and care were recruited and in post by 1 August 2007.

Secondly, there was no significant unemployment of junior doctors. On 1 August, only 22 doctors had not secured posts. That figure has now fallen to six, and arrangements have been made to allow those six doctors to remain in post pending further recruitment rounds. Thirdly, Professor Hayes's review addressed the inflexibility in the process that could result in highly qualified doctors being locked out of the process.

Nevertheless, significant flaws in the process have been identified. They relate mainly to the online recruitment system, the application form and the shortlisting process used this year. The evidence that the review took from junior doctors detailed difficulties around the lack of robustness of the computer system, which was prone to crashing. Also mentioned was insufficient training to familiarise doctors with a radically different process, and the fact that shortlisting did not take enough account of individual experiences.

In addressing those matters, 18 of the review's recommendations cover the recruitment process, setting out advice in regard to person specifications, application forms, interviews and communication. I will supply a little more detail on those recommendations. There will be a local recruitment process for 2008. Junior doctors will complete a different style of application form that will allow them an opportunity to have all their experience taken into account. The person specifications, which caused so many problems in relation to inflexibility and concerns over permanent lockout from the process, will be revised to remove

limits to previous experience, and they will be speciality specific.

1.00 pm

Junior doctors will not apply through a national computer system. Applications will be submitted to the local deanery — the Northern Ireland Medical and Dental Training Agency. There will be local longlisting and shortlisting of candidates. The interview process that was used in 2007 was well received by all junior doctors and by the consultants who conducted the interviews. That process will continue for 2008. The concerns that junior doctors had this year, should, therefore, not be repeated in 2008. They will be allowed to demonstrate experience and how they strive for excellence. Those important areas will be taken into account in the shortlisting process.

There has been widespread agreement among junior doctors and training committees that the recruitment process in Northern Ireland should remain synchronised with the national timetable. Having listened to the profession, I concur that we should remain part of the national network in relation to timescales. Recruitment for general practice will continue to follow a separate process, but I want the timing of offers of training places to coincide with those for speciality training in line with Professor Hayes's recommendation. The number of offers to general practice doctors awaiting alternative offers caused difficulties this year. Undue pressure was brought to bear, which is something that I want to avoid next year.

All of these changes will be communicated to junior doctors by the Northern Ireland Medical and Dental Training Agency. The agency has been examining the feasibility of a local online application service to support the recruitment process. As I told the Assembly in May 2007, I want to be assured that any such service would truly support the process before agreeing to its use, but I am content that such an option should be explored.

Professor Hayes has made it clear that his recommendations on speciality training have to be viewed in the wider context, and for very good reasons. We must not do anything locally that disadvantages our young doctors with regard to recognition of their training and qualifications and, as a consequence, jeopardises their future prospects for consultant and GP principal appointments. As a result, the review's recommendations on specialist training are for the longer term, for 2009 and beyond, and are very much dependent on the outcome of Sir John Tooke's recommendations.

As I said, Sir John's interim findings were published at the beginning of last week and are out for consultation until 20 November 2007. His proposals for speciality training involve the fundamental restructuring of postgraduate medical training to allow greater flexibility. My Department will respond to that consultation, drawing

on Professor Randal Hayes's work. However, I assure those who secured a place on a training programme in 2007 that that commitment will be honoured.

Many of the recommendations on medical workforce planning are already in train. Since August 2007, for example, the number of doctors in GP training programmes has increased by 20%. As a result, the intake to GP training has risen to 65. Again this year, recognising the growing number of women in the medical workforce, flexible training opportunities will be doubled to 15 to begin to meet the growing demand for part-time working among doctors in training. Although that is a relatively small increase, it should be seen as the latest step in an ongoing approach.

A further critical element in this process is the provision of careers advice that is objective, meaningful and of relevance to young doctors at a critical stage in their career. My Department has provided funds to the Northern Ireland Medical and Dental Training Agency to develop its career advisory role. The agency recently advertised a post dedicated to that role, in line with Professor Hayes's recommendations. I want to see the agency work with the university to extend that role into the undergraduate years in a meaningful way.

In summary, the review has identified that there was no evidence of a detriment to patient and client care caused by the recruitment process used this year. There is no evidence of significant unemployment of junior doctors.

There were significant flaws in the recruitment process for speciality, run-through training. A way forward for 2008 allows experience to be taken into account, prevents doctors from being locked out of training, and introduces more flexibility to the process. Proposals will be introduced with the aim of restoring the confidence of the service in speciality recruitment.

A great deal of work is to be done as a result of the review. I have set out, in broad terms, the approach that the Department will adopt for this year. The Department will put in place a process to implement in detail all the local review recommendations. Further work will be necessary for 2009 and beyond. Sir John Tooke's interim report points to fundamental changes to speciality recruitment that were identified by Professor Hayes. My Department will work closely with other UK countries over the coming months to ensure that a process is developed that meets the needs of the service and allows junior doctors to compete fairly and flexibly. We all want to be cared for by doctors who are trained to the highest standards and who are experts in their area of practice. The profession can provide that service if the right people are recruited into the right speciality. I am determined that the professionalism and dedication that is shown by doctors locally is not let down by a poor recruitment process.

Mr Buchanan: I welcome the Minister's statement on the problems that have been encountered. It is good that the review of the speciality training for junior doctors is underway and that there has been no detrimental impact on patient care.

I also welcome the fact that 700 junior doctors were recruited by 1 April 2007. Can the Minister confirm whether salaries paid to doctors who are being trained under the new MMC (Modernising Medical Careers) scheme are less than those that have been paid in previous years?

Mr McGimpsey: I am not aware whether the salaries are lower; I did not expect that question. Although I can check specifics, I am not aware that junior doctors are suffering as a result of being paid lower salaries than they would have been in previous years.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I congratulate the Minister on his statement. All parties had been lobbying on the matter, and I am glad that he has taken all the issues on board. Will the Minister give a commitment to honour the places of people who have secured a place on a speciality training programme in 2007?

Mr McGimpsey: I can give Mrs O'Neill exactly that commitment: those training places will all be honoured in full.

Mr McCallister: I am grateful to the Minister for his statement and for honouring his commitment to report to the House by the end of October. Does he agree that the experiences of a great number of junior doctors were stressful? Will he indicate the timescale of the process for the next year, bearing in mind that the Tooke Review has just been published?

Mr McGimpsey: I understand the stress that junior doctors experienced during the early part of this year. However, as I said, the Department adopted a local solution to a local problem and dealt with the situation. No junior doctors were unemployed, and there was no chaos in the hospitals.

The recruitment process opens in January 2008 with local interviews, which will be completed by the middle of April. Job offers will be issued shortly after that. That is the anticipated timeframe, and I expect that the Department will meet it.

Mrs Hanna: I also thank the Minister for his statement and for bringing the matter back to the Assembly. Given that he has talked frequently about the local situation, will a system be introduced that has been tailored to the Northern Ireland service?

The Minister has made it clear that the process will not be exclusive to Northern Ireland. Will he elaborate on that, and will the balance between supply and demand be ensured?

Mr McGimpsey: Overwhelmingly, the advice received during the course of the review was that the process in Northern Ireland must be synchronised with, and be part of, a national process. It is a local solution to a local problem, but it is also an integral part of the general recruitment pool. As I understand it, Professor Tooke's review will indicate the way forward for England, Scotland and Wales, and my Department will carefully examine the outcome. Professor Hayes has had meetings with Professor Tooke. Randal Hayes's recommendations are close to some of those of Professor Tooke.

Mrs Hanna asked me about supply and demand, and, as I indicated in my statement, there has been an increase to 686 in the number of GP training posts this year. That increase reflects the need for additional GPs and for planning for medical careers. Among that number, any decrease in training places for certain specialities is balanced by an increase in training for other specialities. Overall, the number of available training places has increased.

Dr Deeny: I thank and commend the Minister for dealing with the problem so quickly and professionally. As a doctor, I had two major concerns: my primary concern was patient care, and, secondly, I was concerned about the loss of young doctors from Northern Ireland.

The Minister stated that the Northern Ireland Medical and Dental Training Agency will communicate all changes to junior doctors. When will that happen? I suggest that it should be as soon as possible, so that Northern Ireland does not lose its highly skilled and qualified professionals.

Almost 60 GPs work in the Western Health and Social Services Board area. Bearing in mind that many of our medical graduates are female, I suggest that the number of GP training places be further increased, perhaps to 100 eventually.

Mr McGimpsey: As I indicated in my statement, there are an additional 15 GP training places this year, and the Department will carefully consider any future requirement. Now that the review is complete and I have reported to the House, I am now in a position to begin communication with junior doctors, and I will do so as soon as possible. A number of the recommendations can be communicated almost straight away, and that will be done through the local deanery.

There is no evidence that the process will be the cause of any detriment to patient care. The Department was able to move quickly enough to ensure that hospitals were able to recruit their complement of junior doctors on 1 August, as normal.

The training of doctors in specialities is a competitive process. Since the process began, local doctors have chosen to leave Northern Ireland to complete their training. That happens as a matter of course, and there

is no guarantee that an individual who starts his or her undergraduate training in Northern Ireland will finish it here. Of the posts filled on 1 August, three quarters were filled by local doctors and one quarter by non-local doctors, by which I mean doctors from other EU countries and further afield. Last year, 87 international medical graduates were in the system, and I record the Department's gratitude for their work in supporting the Health Service.

Doctors who were born in Northern Ireland can be found working in hospitals almost all over the world, and that has always been the case, because it is a matter of individual preference. It is crucial to have flexibility in the system, so that doctors can return to Northern Ireland if they so wish.

1.15 pm

The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson): I welcome the Minister's statement on the recruitment of junior doctors, and I apologise for missing the first part of it. This issue greatly concerned members of the Health Committee earlier this year, and we raised it with the Minister many times. The Minister acknowledged that there were flaws in the process for recruitment in speciality medical training. Those flaws caused months of untold anxiety for many junior doctors throughout Northern Ireland. However, I welcome the assurance from the review that there was no evidence of any detrimental impact on patient care. I am pleased to learn that major changes will be made in time for next year's recruitment process and, in particular, that a different style of application process will be used that will give greater weight to previous experience.

The Minister has confirmed to Dr Deeny that there is much work to be done and that the full implementation of the review recommendations will be carried out without delay. However, I wish to seek further assurance that we will not be faced with a similar situation in the future.

Mr McGimpsey: Much of last year's problems related to the MTAS recruitment process, which was an online application form that was accessed through a computer system that was prone to crashing. There is no anticipation that we will go back to that system. We will follow the same steps for 2008 that we took in 2007 when we abandoned MTAS: local interviews, longlisting, shortlisting and curriculum vitae will play a part. Therefore, experience will be given its appropriate weight. I do not anticipate that the position will be similar in May 2008 to what it was in May 2006. In fact, as I stated in an earlier answer, I expect that offers will be issued at the end of April 2008.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I thank and commend the Minister for his robust response, and I look forward to the same

robustness when we consider the Agenda for Change policy. Will the Minister outline whether the Department has made any attempts to encourage speciality training? I am thinking specifically of areas where there are gaps, for example, in the field of reconstructive surgery for breast cancer survivors and burns victims, and in the provision of mental-health care. Go raibh maith agat.

Mr McGimpsey: That is a matter of preference and of competition. Some courses are oversubscribed, for example, cardiology is consistently the number-one speciality to which young doctors apply. Regrettably, near the bottom of the list are accident and emergency, and paediatrics — which has much to do with child-protection legislation. There are disincentives in some specialities, and that is where we meet shortages in areas such as mental health. We have discussed that matter on a number of occasions and, therefore, we are well aware of the shortages of doctors, psychiatrists, psychologists and nurses in the mental-health sector. That remains a major problem. I shall keep this matter under constant review so that we can try to find ways to solve the problem.

Mr Easton: I welcome the Minister's statement. He has broadly answered my question, but will he give us further information on how many junior doctors leave these shores every year? Does he believe that the new measures will help to reduce the numbers of those who leave?

Mr McGimpsey: I do not have figures for the number of junior doctors who leave our shores each year. Some students apply to the School of Medicine at Queen's University Belfast.

The Department is also aware of the large number of students who apply to other universities. For example, at one stage 10 of the University of Dundee's rugby team were medical undergraduates from Northern Ireland. There are certain universities that our youngsters are inclined to apply to. I do not have a specific figure, but there is a brain drain. I am happy to write to the Member on the issue of junior doctors' going abroad. It is something that has been traditional and par for the course in medical training; it has happened for generations.

Mr Elliott: I welcome the Minister's announcement. He will be aware of representations that I made on the matter locally. Can the Minister assure me that the recruitment process for junior doctors will be administered locally to meet the specific needs of the local hospitals involved?

Mr McGimpsey: Yes, I can. Mr Elliott will recall that, on a number of occasions, I have said that this is a local solution to a local problem. Three quarters of the junior doctors that the Department is recruiting are from Northern Ireland. I bear that very much in mind.

Mr Durkan: I welcome both the Minister's statement and the work of the review group and Professor Hayes. The report honestly reflects the causes of the problem and provides welcome assurances that its effects did not lead to significant unemployment for our young doctors or damage to patient care.

Although the Minister is trying to ensure that there will be a new system in place that fits local needs, it will also need to fit the national framework. Achieving those two purposes might lead to some tension or difficulty in implementation, so I would appreciate any assurances that he can provide.

Similarly, as well as trying to synchronise the local scheme with the national framework, the Minister is saying that he wants to ensure that recruitment for general practice is synchronised with speciality training. What steps can he take to ensure that that happens?

Mr McGimpsey: Last year, offers for GP speciality were sent to those who may have also been waiting for other specialities and were then left wondering if they would receive any other offers. It is important that all offers be synchronised so that junior doctors can weigh up exactly what they are being offered and what their potential is.

There must be interchange in the national system, because we do not want our junior doctors — when they are qualified and trained — being excluded from employment and professional qualifications simply because they were trained here as opposed to in Scotland, Wales or England. Therefore, it is important that we ensure that our new system fits the national one. Our problem is primarily in how the recruitment took place and the effects of that, which we can sort out. In their discussions, Professor Hayes and Sir John Tooke shared a number of ideas on recommendations. The Department will look at changes to speciality training and how those changes should be implemented. Those changes must be universal, and we cannot exclude ourselves from them.

Mr Ford: I also thank the Minister for his statement and for taking this issue seriously. Immediately after taking office, the Minister met a number of us, and junior doctors, and ensured that we now have at least the makings of a local solution to our local problem. I declare my interest as a parent of two junior doctors in training who both — I am happy to say — secured full training posts in this year's round. I welcome the Minister's statement that those training posts will be honoured. I would, however, like to tease out what is not currently in the statement.

The Minister has given us full details of the unemployment of junior doctors, but I am concerned about the underemployment. Will the Minister provide details of how many people are currently only in

single-year, short-term, unrecognised posts, because they are the casualties who could be forgotten?

In the context of the Minister's reference to Professor Hayes's recommendation about the inflexibility in the process, which could result in highly qualified doctors being locked out, will he tell us a little bit more about how those who have had difficulties this year will be able to regain training posts in future years?

Mr McGimpsey: One of the stipulations of the Hayes Review was that if doctors missed out on training posts for one year, they would not be precluded from applying for the speciality of their choice when they reapplied at the end of the year, thereby ensuring that experience would not count against them.

The position is different when a doctor misses a speciality, but there are other posts available that need to be filled over the next number of months — that happens continually. I cannot give Mr Ford a definitive answer, or numbers, on the underemployment of doctors. I can write to the Member on that, although I am assured that the problem is getting cover for patients, not underemployment of doctors.

EXECUTIVE COMMITTEE BUSINESS

Children (Emergency Protection Orders)

Bill: First Stage

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I beg leave to introduce to the Assembly a Bill [NIA 6/07] to repeal article 64(8) of the Children (Northern Ireland) Order 1995.

Bill passed First Stage and ordered to be printed.

Mr Deputy Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2007

The Minister for Social Development (Ms Ritchie): I beg to move

That the Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2007 (S.R. 2007/347) be approved.

I am seeking the approval of the Assembly for regulations relating to child support, which were laid before the Assembly on 27 July 2007. It may be helpful if I begin with an explanation of why the confirmatory procedure, which is the strongest form of Assembly control over regulations, is being used.

The long-standing principle, whereby Northern Ireland makes corresponding legislation to that for Great Britain in relation to child support, includes bringing regulations into operation on the same date here as in Great Britain. The Great Britain regulations to which those regulations correspond were approved by Parliament shortly before they were made by virtue of the affirmative resolution procedure. It is not possible for the Assembly to approve the Northern Ireland regulations before they are made and match the operative date. The use of the confirmatory procedure ensures that the regulations are made and come into operation, but must be approved by the Assembly within six months of the operative date, otherwise they fall.

The regulations correspond to regulations for Great Britain that the Secretary of State for Work and Pensions made following their approval by the House of Lords on 26 June and the House of Commons on 5 July.

1.30 pm

The making of child support regulation packages is a fairly regular process to ensure that legislation is kept up to date, transparent and in step with wider Government legislation. In this package of regulations, we are updating and amending child support legislation to bring it into line with changes that have been made to other Government legislation. The amendments are largely technical and make a number of amendments to various sets of regulations that govern child support.

The regulations cover two issues: first, they change the way in which the Child Support Agency calculates the net earnings of a self-employed non-resident parent; and, secondly, they increase the time allowed for a non-resident parent who lives abroad to make an appeal and increase the notice period that the agency must give such a non-resident parent before commencing certain enforcement proceedings.

The changes to self-employed income became necessary following a House of Lords judgement. The Lords ruled that the meaning in legislation of taxable profits, which provide the basis for calculating such earnings, was ambiguous. The Law Lords ruled that the

agency's interpretation of taxable profits was incorrect. We have, therefore, taken this opportunity to clarify what we mean, by providing a definition of taxable profits, which corresponds to that used by Her Majesty's Revenue and Customs, and to change the information that the agency used to calculate self-employed earnings. The result is that self-employed earnings as assessed by the agency will now more closely match those of Her Majesty's Revenue and Customs.

The second change is to increase the time allowed for a non-resident parent who lives abroad to appeal a deduction-from-earnings order. The agency can obtain a deduction-from-earnings order should a non-resident parent not co-operate with the payment of child maintenance. That allows the payment of maintenance to be taken directly from the non-resident parent's earnings. Before the amendment to the legislation, a non-resident parent could appeal a deduction-from-earnings order within 28 days. That period applied to all non-resident parents, both those living in Northern Ireland and Great Britain and those living abroad. The amendment extends the period in which to appeal to 56 days for non-resident parents living abroad, in recognition of the fact that it may be more difficult to make representations or bring an appeal within the same time frame as UK residents can.

I brought the regulations to the Committee for Social Development, which considered them at its meeting on 13 September 2007 and recommended that they be approved by the Assembly.

The Chairperson of the Committee for Social Development (Mr Campbell): The Committee for Social Development considered The Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2007 on 13 September 2007. The regulations are a parity measure and amend various pieces of legislation on child support maintenance payments. They update and amend child support legislation to bring it into line with changes that had been made to other pieces of Government legislation, but specifically they amend the definition of taxable profits and extend the period in which appeals against certain orders are permitted.

At its meeting on 13 September, the Committee agreed to recommend that the regulations be confirmed by the Assembly.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. The Minister has confirmed that she intends to wind up the existing Child Support Agency and deliver the new arrangements directly through the Department for Social Development. Can she confirm that none of the new arrangements will be privatised and that they will continue to be administered by civil servants? How effective does the Minister consider that the new scheme will be, in light of the fact that we

have been told that up to 40% of social security staff may lose their jobs?

Ms Ritchie: I presume that there will be no further comments about those orders. Therefore, I thank Members for their contributions to the discussions about the regulations.

The Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2007 make small but important changes to the current child support scheme. Protecting and safeguarding children is pivotal and crucial and, above all, is the attempt to deal with child poverty by ensuring that those responsible for the maintenance of those children are addressed and live up to expectations.

The Member for Newry and Armagh Mr Brady raised a significant issue relating to the future delivery of child support in Northern Ireland. I decided that staff in the Department for Social Development, should be brought into the mainstream of the Civil Service, thereby safeguarding their needs and ensuring that they remain part of the Civil Service.

Regarding the other aspects of his comments, I have concluded that the existing Northern Ireland Child Support Agency should be wound up and that the delivery of its services should be brought under the direct control of my Department. In reaching that decision, I took account of the different scale of service that is provided here, as well as the need to maintain a focus on improving services to clients.

On the matter of jobs, the size of the new child support organisation in the Department has not yet been determined. However, I will investigate and explore that issue and will, undoubtedly, address the Committee about it. Meanwhile, I have been conscious of the need to protect the jobs in a large part of my organisation by ensuring that staff were brought into the Civil Service. That decision reflects the recommendations that were made in 2006 in Sir David Henshaw's report, 'Recovering child support: routes to responsibility'. In this case, I felt that the requirement to put such a decision to a non-departmental public body was not justified.

Question put and agreed to.

Resolved:

That the Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2007 (S.R. 2007/347) be approved.

EXECUTIVE COMMITTEE BUSINESS

Child Maintenance and Other Payments Bill: Legislative Consent Motion

The Minister for Social Development (Ms Ritchie):
I beg to move

That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Child Maintenance and Other Payments Bill dealing with the use of information, which are contained in clause 39 of, and paragraphs 4 to 6 of Schedule 6 to, that Bill as introduced in the House of Commons.

The Child Maintenance and Other Payments Bill was introduced in the House of Commons on 5 June 2007 and contains measures to take forward several proposals that were set out in the Government's White Paper, 'A new system of child maintenance'. The aim is to tackle child poverty by ensuring that more parents take responsibility for paying for their children and, consequently, that more children benefit.

Among other things, the Bill proposes the establishment of a new non-departmental public body — the child maintenance and enforcement commission — to promote parental responsibility and choice about how maintenance payments are arranged and, when arrangements break down, to improve the calculation, collection and enforcement of child maintenance. The commission's remit will not extend to Northern Ireland. However, in order to function effectively, it will be necessary for the commission to exchange information with its counterpart in Northern Ireland to ensure that non-resident parents who move between Great Britain and Northern Ireland can be held to account if they are seen to evade their responsibilities.

There is provision for the two-way exchange of information held by the Secretary of State for Work and Pensions, the Department for Social Development and the Department for Employment and Learning, relating to social security, child support, war pensions and employment and training. New provisions are needed to ensure the continuing flow of that information when the child support function moves from the Department for Work and Pensions to the commission.

The Minister for Employment and Learning, the Member for East Belfast Sir Reg Empey, has indicated to me that he is content that information held by his Department relating to employment and training may be shared with the proposed child maintenance and enforcement commission.

As the subject is a transferred matter under the provisions of the Northern Ireland Act 1998, approval for the inclusion of Northern Ireland in the Bill must be sought from the Executive Committee, the Committee for Social Development and the Northern Ireland Assembly. The Executive Committee and the Committee

for Social Development considered the matter and gave their approval on 13 September.

The Assembly must now consider the principle of extending to Northern Ireland the provisions in the Child Maintenance and Other Payments Bill that deal with the two-way exchange of information. The exchange of information will benefit families in Great Britain and Northern Ireland as the two child support organisations will be able to work together to ensure that maintenance flows to the greatest possible number of children throughout Northern Ireland and Great Britain. I hope that Members will agree with me and support the motion.

The Chairperson of the Committee for Social Development (Mr Campbell): The Minister wrote to the Committee for Social Development on 19 August to notify members of the Westminster Government's intention to legislate on a provision, included in the Child Maintenance and Other Payments Bill, that would extend to Northern Ireland. The Bill will establish a new child maintenance and enforcement commission. Although, as the Minister has said, that commission will not operate in Northern Ireland, it will take over the child support function currently carried out by the Department for Work and Pensions.

At present, there is provision for the two-way exchange of information held by the Department for Work and Pensions, the Department for Social Development and the Department for Employment and Learning. That information covers social security, child support, war pensions and employment and training.

The provision in the Child Maintenance and Other Payments Bill that extends to Northern Ireland is purely technical; it will simply enable the present arrangements for the exchange of information to continue between the Department for Social Development and the new commission. It will allow non-resident parents who move between Great Britain and Northern Ireland to continue to be held to account if they are found to be evading their financial obligations.

The Committee for Social Development considered the matter at its meeting on 13 September 2007 and agreed to support the inclusion of the provision in the Bill.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister accept that the words "child maintenance" are much more relevant than "child support"? The Child Support Agency was an abysmal failure and did little to support those whom it was originally set up to help.

Ms Lo: I thank the Minister for bringing the legislation to the Assembly. Will she assure the House that the transition of the Child Support Agency into the Department will benefit from full consultation with staff and the Committee?

Mr Shannon: I welcome the Minister's statement about the legislation, and I wish to ask several questions. I am sure that she shared my great concerns about the Child Support Agency, not least the fact that every time one tried to contact that office, one spoke to a different person. It seemed as though there was a game of musical chairs going on there.

1.45 pm

During 2004-05, there were more than 9,000 applications for child maintenance, but just short of 2,500 calculations were completed. During 2005-06, there were, again, approximately 9,000 applications, but just short of 3,000 calculations were completed. Last year, there were 8,800 applications, but only 3,000 of those were cleared. Will the Minister assure Members that the new organisation will do a better job than the Child Support Agency has done in the past?

I have been receiving, as I am sure other Members have, a lot of correspondence on staffing issues. Will the Minister assure Members that — after the transfer of responsibility and the move of office — those who presently work in the Child Support Agency will be given other opportunities in the Civil Service in the Province? Is the Minister hoping to address the staffing issue through natural wastage? A lot of people want to stay in the Civil Service and want to be involved in that work. Members need an assurance that those issues are being considered.

Mrs McGill: Go raibh maith agat. The question that I wished to ask has already been answered.

Ms Ritchie: I thank Members for their contributions, and I also thank the Chairperson of the Committee for Social Development for his support and that of his Committee.

Micky Brady, Anna Lo and Jim Shannon have raised several issues. The purpose of the motion and the legislation is to ensure that child poverty is tackled; that people live up to their commitments in respect of child maintenance; and that every action is taken to ensure that that happens. Therefore, whether it is called support or maintenance, the important issue is that maintenance is paid, that maintenance is pursued, and that the people who deserve it actually receive it.

In response to Ms Lo's question, I want to ensure that Northern Ireland has the best possible system for delivering child maintenance/support, and, above all, that we have the best possible delivery to ensure that child poverty is tackled — that is the most significant issue.

As I said earlier, I have concluded that the existing Northern Ireland Child Support Agency should be wound up, and that relevant service delivery should be brought under the control of my Department. In reaching that decision, I took account of the different scale of the service that is provided in Northern Ireland,

and the need to maintain the focus on improving the service to clients.

Members will recall that in GB, Sir David Henshaw was appointed to undertake a review into the operation and delivery of child support because of the very reasons that Jim Shannon referred to — the delays and the difficulties in the system in getting payments to children and to their respective parents. I wanted to be able to correct that, but I also wanted to reflect the Northern Ireland situation. That is why I decided, some weeks ago, to bring the Child Support Agency within the remit of the Department for Social Development.

Mr Shannon raised significant issues about employment. As I said earlier, the size of the new child support agency organisation has not yet been determined. Therefore, I am not in a position to assess the impact on staffing levels. I will come back to the Committee for Social Development and to respective Members who have raised queries about that particular issue.

I intend to introduce a Bill that will reform the present child support system, create a simple system that enables and encourages parents to make their own arrangements, but delivers firmly and more effectively for parents who need help in arranging maintenance.

There will be a consultation process on that Bill. As Minister, I want to do the best that I can to ensure that issues of child maintenance are addressed, that those who need to deliver that maintenance — namely, the absent fathers — do so, and that I have the staff and the capacity to do that.

Whatever happens, we must improve the system and dilute the causes of past criticism. We must deliver the payment to those who most need it.

Question put and agreed to.

Resolved:

That this Assembly endorses the principle of the extension to Northern Ireland of provisions of the Child Maintenance and Other Payments Bill dealing with the use of information, which are contained in clause 39 of, and paragraphs 4 to 6 of Schedule 6 to, that Bill as introduced in the House of Commons.

PRIVATE MEMBERS' BUSINESS

Abortion

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

Mrs I Robinson: I beg to move

That this Assembly opposes the introduction of the proposed guidelines on the termination of pregnancy in Northern Ireland; believes that the guidelines are flawed; and calls on the Minister of Health, Social Services and Public Safety to abandon any attempt to make abortion more widely available in Northern Ireland.

I welcome the opportunity to have this debate, but I very much regret that I, as Chairman of the Health Committee, was not informed of the Ulster Unionist Party amendment as a matter of courtesy.

In our deliberations, it is essential that we recognise Lord Justice Nicholson's recent judgement, which endorsed the existing legislative position in Northern Ireland. He suggested that guidance be produced, and he stated:

"This judgment is written in the hope that the department will seek to reduce the number of women and girls going away to seek an abortion and to encourage those seeking an abortion in Northern Ireland to make a different choice. It must surely be the concern of all right-thinking persons in the United Kingdom that the number of abortions which are carried out is so high."

I also wish to point out that, before this afternoon's debate, my colleague Jeffrey Donaldson and I received a petition in support of our motion. That petition contained approximately 120,000 signatures. That petition started in early January in shopping malls, and so forth. I have no doubt that, had there been more time and more people available to collect signatures, there would have been a considerably greater number of signatures in support of the motion.

Owing to the recent postcard campaign in support of the motion, my mailbox has never been so heavy. I congratulate those who were responsible for that campaign, the sentiment of which we should all recognise. We must commit ourselves to changing the situation for the better. In order to see the number of abortions genuinely fall, a holistic approach is required, right across our society. Abortion is an issue on which I have strong Christian convictions. The sanctity of life is my overriding concern.

Better statistical records must be maintained on abortions. The current lack of information was criticised by Lord Justice Nicholson. Health workers admit that

abortions occur solely on account of foetal abnormalities, but that is illegal under Northern Ireland law. No wonder some are suspicious that detailed records are purposely not being kept in order to conceal what is actually going on.

I urge that better records be kept on the physical and psychological complications that arise from abortions. I have been informed that, during a presentation given by Dr Harith Lamki in 2000, he stated that post-mortems are conducted after all abortions that are carried out for reasons of foetal abnormality.

I would like to discover the location of those records. As Chairperson of the Health Committee, I propose that the Committee seeks the records for those post mortems that have been carried out on fetuses. Dr Lamki from the Royal Victoria Hospital should appear before the Health Committee and give it some explanation about those records, which are being kept in secret.

Important child-protection issues are raised when under 14s seek abortions. There should be no secret abortions. Compared to all other rights and considerations, the confidentiality of young teenagers seems to have become paramount. Health professionals must fulfil their legal obligations towards the under 14s. Immature children should not be solely responsible for decisions that they may not have the competence or experience to make.

I am also informed that under paragraph 2.13 of the draft guidelines, which mentions forced abortions, in the cases of children who do not really want abortions, health professionals have the overriding right to insist that those children have abortions. It will cause all of us a great deal of concern to know that parents are not to be included in such decisions.

We must ensure that the Health Service gives strong protection to conscientious objectors who do not want to have any part in assisting with abortions either on grounds of faith or otherwise. That term is used on the mainland; however, it is important to flag up that such people should not be forced to carry out abortions.

Abortion hurts women. It hurts their minds, hearts, bodies, and relationships with other people. I emphasise that there are no maternal deaths in this jurisdiction due to not having an abortion. There are no unsafe abortions in Northern Ireland. There is no medical condition that requires direct abortion.

If we are really concerned about the experience and quality of life of women in Northern Ireland, we will do everything that we can to reduce the number of abortions that occur.

As I said earlier, I am committed to the sanctity of life, and I am determined to prioritise women's health. That is why I care deeply about abortion. Some people suggest that abortion offers a solution — I simply

cannot agree. In truth, abortion does not bring solutions; it brings only pain, heartache, and loss. We can say that hindsight is a wonderful thing, but many women come to my surgery carrying guilt that, generally speaking, they will carry to their graves.

Abortion is bad for babies, women, families, and society. Women face potential safety issues as a result of having an abortion. The number of deaths is very small, but damage, or infection, to the uterus or fallopian tubes may occur and may lead to infertility. Menstrual difficulties can also result. Women may suffer significant emotional trauma. There is also some evidence that having an abortion may increase a woman's risk of getting breast cancer, although the results of studies on that are not consistent.

The Canadian Medical Association Journal was criticised for publishing data outlining the psychological side effects of abortion. In an editorial, the journal was forced to state:

"we cannot toss out data any time we don't like their implications".

An opinion piece by Breda O'Brien in 'The Irish Times' on Saturday reflected on last Wednesday's 'Dispatches' programme on Channel 4, which screened graphic images of abortions and their aftermath. A surgeon of a Marie Stopes International clinic, who carried out late-term abortions, was interviewed for the programme. Even at the relatively early stage of 12 to 13 weeks, foetuses had to be dismembered.

The surgeon admitted that he did not go into the details of what is involved when women have the procedure, because it is too upsetting.

2.00 pm

Mr Donaldson: Is my honourable friend and the House aware that a petition of more than 100,000 signatures opposing the guidelines was presented to the Assembly this morning? If Members wish to see those signatures from both sides of the community in Northern Ireland, they are in the Rotunda, stacked in boxes. Does the honourable Member agree that it is clear that there is overwhelming public opposition to the draft guidelines and that the Assembly should take that fact into account?

Mrs I Robinson: I thank the Member for that point. I totally concur with him that a vast number of people signed the petition. Earlier in my speech, I referred to the 120,000 signatures that had been collected and that were presented to the Assembly this morning.

Mr P Ramsey: The Member referred to Channel 4's 'Dispatches'. Does she agree that, if the guidelines were introduced in Northern Ireland, in one part of a hospital, doctors would be aborting children — dismembering legs and arms — while in another part of the same hospital, doctors in an intensive care unit would be trying to bring children back to life?

Mrs I Robinson: The Member must have read my speech, because I was about to refer to that issue. The contradiction is so sad; on the one hand, there are doctors who are fighting for the life of a child who has arrived prematurely —

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

Mrs I Robinson: On the other hand, there are doctors who are dragging a foetus out of a woman's body. If that foetus had lived, it would probably have been a very healthy child.

Mr McCallister: I beg to move the following amendment: Leave out all after "Assembly" and insert

"calls on the Minister of Health, Social Services and Public Safety, following consultation with the Committee for Health, Social Services and Public Safety, to bring forward guidelines on the lawful termination of pregnancy, as defined by the Offences Against the Person Act 1861, the Criminal Justice Act (Northern Ireland) 1945, and the Bourne Judgment case law, and in accordance with the ruling of the Courts."

As we debate the motion and the amendment, I am sure that all sides of the House, including the proposers of the motion, will share my view that the difficult, painful and divisive issue of abortion should not be deployed for partisan political ends. I also trust that all Members who speak today willingly accept that, whatever debate we might have at some stage on the Abortion Act 1967, today is not the day for that debate. That is because, without the devolution of policing and justice powers, the House, under the provisions of the Northern Ireland Act 1998, does not have the authority to change or overturn the existing legal position on abortion in this part of the United Kingdom. The amendment clearly restates and reaffirms the existing legal position.

Mr Donaldson: Is the Member aware that the Secretary of State, in response to a question that I tabled in the House of Commons, stated clearly that Parliament would not legislate on abortion without having regard to the views of the Assembly? Does he accept that today is an opportunity to put down a clear marker on the issue?

Mr McCallister: I thank the Rt Hon Member for his intervention. My answer is yes, which will become clear later in my speech.

Mrs I Robinson: Does the Member also accept that the majority of people in Northern Ireland — from all faiths and none — would baulk if any Government or legislative assembly insisted on softening the 1967 Act?

Mr McCallister: I have no difficulty in agreeing with the honourable Member's comment. My speech will clarify that the UUP amendment is about obeying rather than softening the law.

Under the provisions of the Offences Against the Person Act 1861, the Criminal Justice Act (Northern

Ireland) 1945 and the Bourne judgement of 1939, abortion is illegal in Northern Ireland except where it is necessary to save the life of the mother or where continuation of the pregnancy would involve a risk of serious injury to her physical or mental health.

The amendment explicitly states that any guidelines issued by the Department of Health with regard to the lawful termination of pregnancy must be entirely consistent with that legal framework as it stands.

The vote in this House in June 2000 demonstrated that there is no indication that the Northern Ireland Assembly is minded to change the existing law on abortion. What is more, in another place, Her Majesty's Government have stated that it is not their intention to seek to bypass this House on the matter. As recently as July 2007, Her Majesty's Government declared:

"The Government have no plans to amend the law on abortion in Northern Ireland. We believe the best forum for discussion of these questions is the Northern Ireland Assembly, once it has assumed responsibility for the criminal law."

That is the settled position in law. "Law" — that is the word that is, or should be, central in today's debate. In October 2004, the courts instructed the Department to issue appropriate guidance on the lawful termination of pregnancy. That positive duty is mentioned nowhere in the motion that has been proposed by Mr Donaldson and Mrs Robinson. Members will rightly be concerned that Ministers are subject to the rule of law. None of us, I assume, wishes Ministers to exercise arbitrary power or to dismiss the courts as an inconvenience.

Whatever the merit of the motion's commitment to the existing legal position in respect of abortion, it has overlooked the fact that the Minister is not — and should not be — free to ignore the rulings of the courts. In his judgment, Lord Justice Nicholson stated that:

"In this case the court is only concerned with the ... department's responsibilities in regard to abortion under the legal framework established by Parliament ... The outcome of this appeal does not entitle anyone to claim that as a result the law should be liberalized."

The purpose of the guidelines that the Minister and his Department have been instructed by the courts to issue cannot and should not undermine the legal framework established by Parliament; that is, the existing legal position.

Let me make it absolutely clear, as the proposer of the amendment, that I do not support the extension of the 1967 Act to Northern Ireland, nor do I support abortion on demand.

Mrs Long: Does the Member agree that, although the concerns that were expressed by the proposer of the motion are shared by many in this Chamber, if we wish to have a formal debate on the specific matter of the Abortion Act 1967, it would be better to have it under that title, rather than debating around the guidelines for the current situation?

Mr McCallister: I agree, and I thank the honourable Member for that useful intervention.

The amendment calls on the Minister to work with the Health Committee in bringing forth the guidelines. It will be obvious to Members that one of the proposers of the motion is also the Chairperson of the Health Committee. Of course, I also am a member of the Health Committee. I am sure that, under her robust chairmanship, the Committee will seek to ensure that all the concerns of this House on the guidelines are addressed. As she rightly said, she will be guided by Christian values that are of course shared by others on that Committee.

The amendment has nothing to do with, in the words of the court, liberalising the law in Northern Ireland with regard to abortion. I would not be supporting or speaking for such an amendment. This amendment is about the rule of law. The guidelines issued by the Department must be consistent with the law on abortion as it stands. The Minister and the Department are not free to arbitrarily ignore the court's instruction to issue guidelines.

Mr Durkan: Can the Member clarify for the House whether he believes that the proposed guidelines, as published, are consistent with the legal provisions that his amendment mentions?

Mr McCallister: The proposed guidelines will come before the Health Committee, and that is where they will be subjected to serious scrutiny. At the moment they are only draft guidelines.

Mr Donaldson: I am trying to understand why the Member opposes the motion. The motion simply opposes the introduction of the "proposed guidelines" — he has just used that phrase. It does not prohibit the Minister from bringing forward other guidelines and taking those to the Health Committee. It says that the guidelines, as proposed, are unacceptable and that any attempt to make abortion more widely available is unacceptable. As I understand it, the honourable Member accepts both points, but I need to be clear: does he see the current guidelines as flawed? Does he oppose their introduction? If so, why can he not support the motion?

Mr McCallister: The Minister and his Department have no option but to bring forward guidelines that are within the law. As Lord Justice Nicholson said, it is not about liberalising the law. If the Member reads the judgment that I quoted, it will be clear to him that this is not about liberalising the law on abortion. I do not support liberalising the law on abortion.

Mr Wells: Will the Member give way?

Mr McCallister: I had better.

Mr Wells: Does the honourable Member realise that an amendment has been proposed in the House of

Commons by a Liberal MP, almost as we speak, to extend the 1967 Act to Northern Ireland? Whereas my party's motion will send a clear message to Westminster that that is not acceptable, his amendment, if passed, will send it a very woolly motion that will mean nothing.

Mr Deputy Speaker: Time is up. I am sorry.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin supports both the amendment and the motion.

It is hardly surprising that ethics and morality are at the heart of the debate. The guidelines that are the subject of the debate have yet to be tabled or discussed at the Health Committee.

The Assembly's debate on abortion in 2000 was primarily about the Abortion Act 1967. At that time, my colleague Mary Nelis remarked that we need an:

"honest and reasoned debate on what is a tragic dilemma for women." — [*Official Report, Bound Volume 5, p221, col 2*].

I concur with that.

The draft or proposed guidelines are a direct result of the Family Planning Association's application for judicial review, which obliged the Department of Health to produce a set of guidelines which will protect staff. The guidelines are not about the extension of the British Abortion Act 1967. The Family Planning Association initiated the judicial review process because there were too many inconsistencies in the provision of abortion in the North of Ireland. Those inconsistencies resulted in many years of confusion about legal protection for professionals who might be asked to participate in an abortion that could be deemed illegal, and who might then be open to prosecution. The draft or proposed guidelines will address those issues, which, for many years, it has been easier and more comfortable to ignore.

The purpose of any guidelines must be to outline the law relating to the termination of pregnancy in the North. Sinn Féin is not in favour of abortion. It is against the extension of the British Abortion Act 1967 to the North of Ireland. We believe that all possible education and support services should be put in place to protect crisis pregnancies. Sinn Féin does not support any attempt to make abortion more widely available; however, it accepts that health professionals working in that field need to have clear guidance. My party has been consistent in its approach. When the abortion issue was discussed in the last Assembly, Sinn Féin placed on record its firm opposition to the extension to the North of the British Abortion Act 1967. Sinn Féin believes that this complex matter should be referred to the Health Committee.

Irish society has a responsibility to address the fact that between 5,000 and 10,000 women travel from every part of Ireland to Britain for abortions each year.

Sinn Féin's view is that the way to tackle crisis pregnancies and abortions is through comprehensive sex education, full access to affordable childcare and comprehensive support services that include financial support for single parents.

2.15 pm

My party opposes the attitudes and forces in society that pressure women to have abortions. Equally, my party opposes those who criminalise women who make that tough decision. In cases of rape, incest, sexual abuse or when a women's life or health is in grave danger, Sinn Féin accepts that the final decision must rest with the woman.

My party supports the principle that there should not be any attempt to make abortion more widely available in the North. Guidelines should be discussed by the Health Committee in the first instance, a discussion that should be based on information and be within the parameters of current legislation. That position has guided my party's attitude to the debate. Therefore, Sinn Féin will support the amendment and, indeed, the motion. Go raibh maith agat.

Mrs Hanna: I support the motion. At the outset, I want to pass on my colleague Dominic Bradley's apologies to the House. He had hoped to be present to speak to the motion.

As a party that was born out of the civil rights movement, the SDLP believes that the right to life is the most basic right of all. That includes the right to life of the unborn. My party has been consistently opposed to the taking of life, whether it be the life of Paul Quinn, who was so brutally murdered in Monaghan at the weekend; life that was lost during the civil conflict that society has endured for the past four decades; or life that is taken by the state through capital punishment. It is for that reason that the SDLP opposes abortion, upholds the right to life of the foetus and opposes the extension of the Abortion Act 1967 to Northern Ireland.

The Assembly must approach the matter of unwanted pregnancy with the utmost compassion and support for the pregnant woman. Fortunately, the stigma of illegitimacy has almost been banished from society. However, much more support must be provided for mothers and the family unit. I pay tribute to the care and compassion that has been shown by the statutory agencies, as well as voluntary agencies such as CURA and LIFE Ireland.

As the SDLP's health spokesperson, I responded to the Department's draft guidance on the termination of pregnancy in Northern Ireland that was issued in January 2007. I registered my concerns about the implications of the proposed new guidelines, particularly their non-specific nature, because I believe that they could lead to a relaxation of the restrictions on abortion in Northern Ireland. The Court of Appeal ruling in

October 2004 ordered the Department to draw up the guidance on which abortions can be carried out under the law, on the foot of a challenge by the Family Planning Association. The court's judgement did not indicate that the law should be liberalised in any way, yet the draft guidance appears to do just that.

If the draft guidance is implemented, it will have significant moral, ethical and resource implications for the Health Service. At present, abortion is permitted in Northern Ireland only if the mother's life is in danger or if there is a serious long-term threat to her mental and physical health. Otherwise, abortion can be deemed a criminal act. Some case law has held that abortion is not always prohibited. Clear and concise guidelines are absolutely essential in order to end the current uncertainty. The draft guidelines are ambiguous and open to various interpretations. Terms such as "quality of life" and "serious adverse harm" are not defined. Interpretations will vary from one medical professional to another.

Not only do doctors need strong guidance, but the pregnant woman also needs as much information as possible on the support that is available to her during and after her pregnancy. If the woman's doctor considers that her condition warrants an abortion, she must understand clearly the reasons for that and what exactly the doctor proposes. The terminology is vague and uncertain. There is concern that the statistics that are provided by the Department have been underestimated. Closer monitoring and information gathering is needed in order to ensure that much more accurate data is available.

Finally, I express my concern that the draft guidance was not placed on the central consultation register for Northern Ireland Departments, nor publicly circulated, given the controversial nature of the issue.

I ask the Minister to ensure: that the draft guidance is re-drafted for clarity and to remove ambiguity; that there is much wider consultation, not just to the Health Committee, as stated in the amendment; and that there is no relaxation in the interpretation of the law.

Ms Lo: First, I wish to state that I am speaking in a personal capacity. The Alliance Party regards abortion as a matter of conscience for individual Members, who each hold their own views. I oppose the motion and support the amendment. As a former social worker and community worker, I have supported women and families who were faced with the stress and consequences of unplanned pregnancies, which are a reality in our society.

In 2005, 1,164 women from Northern Ireland travelled to England to have an abortion. Many others went to other parts of Europe for abortions. The Abortion Act 1967 does not extend to Northern Ireland. Abortion is only legal under certain circumstances — something which has caused confusion and ambiguities

in Northern Ireland. There is confusion in communities — particularly among those people who come from other parts of the UK, or other countries — about what is and is not permitted under the law.

Depending on where one lives, there are inconsistencies throughout Northern Ireland about where abortion services may or may not be available. In addition, some health staff may have conscientious objections to abortion and may be unsure about their employment rights if they refuse to participate in performing a termination.

As we have heard, the Department issued draft guidelines to clarify the legal position and give guidance to health professionals on service provision following the Court of Appeal decision, which was instigated by the Family Planning Association. I have read through those guidelines, which were produced by a working group comprising representatives from a range of professional and specialist backgrounds. I welcome the guidelines. The Department has also received many responses from the public and from interested parties.

The guidelines are not about extending the provision of abortion to Northern Ireland or about bringing the Abortion Act 1967 to Northern Ireland. Lord Justice Nicholson made it clear that his ruling did not mean that the law should be liberalised. The guidelines provide clearer directions to health professionals on procedures and practice and, ultimately, will improve the quality of service to women who are often confused when facing such a situation in their lives.

Of course, there are criticisms from the voluntary sector about gaps on many issues such as informed consent, referrals, information giving and so on. The draft guidelines are a good basis on which to formulate guidance. The Department and the Health Committee should consider carefully the views from the consultation and should take into account all of the relevant suggestions that could be incorporated into the final guidelines.

Abortion is an emotive issue. The motion to oppose the introduction of the proposed guidelines is an attempt to whip up emotions and sabotage the aim of the Department and the Law Courts, which is to provide health workers with a better understanding of the principles of the law and guidance for better practice for all. It is important that we are clear that the House is not debating whether abortion should be legalised in Northern Ireland.

It is essential that the scrutiny of the draft guidelines be left to the Committee for Health, Social Services and Public Safety. The Committee can call for evidence from relevant bodies, and thus ensure that it is well informed to make a sound judgement on the guidelines.

Mr Deputy Speaker: Order. Members will be aware that Question Time will begin at 2.30 pm. I

therefore ask Members to take their ease until then.
The debate will resume at the end of Question Time.

The debate stood suspended.

(Mr Speaker in the Chair)

Oral Answers to Questions

FIRST MINISTER AND DEPUTY FIRST MINISTER

Engagements

2.30 pm

1. **Mr Brolly** asked the Office of the First Minister and deputy First Minister to detail what engagements have been carried out by the First Minister and the deputy First Minister in the past seven days.

(AQO 580/08)

The deputy First Minister (Mr M McGuinness):
On Monday 15 October, the First Minister and I met a group of senior diplomats from around the world who were on a one-day visit to Belfast. We also met Lord Ashdown and his team on the strategic review of parading.

On Tuesday 16 October, the First Minister and I hosted a lunch for the US ambassadors to Ireland and Britain and a group of senior business people as part of the preparation for the Executive's investment conference, due to be held in May 2008. The First Minister also hosted a meeting of leading church representatives to facilitate a discussion on the proposed charities Bill.

On Wednesday 17 October, we jointly met a number of representatives to discuss the Maze/Long Kesh regeneration. That was followed by a meeting with the Commissioner for Public Appointments and attendance at a lunch hosted by the Speaker to mark the visit of the President of Croatia. We also held a private meeting with the Croatian President and his delegation.

On Thursday 18 October, the First Minister was involved in the launch at Parliament Buildings of the 'Northern Corridor — Railway Renaissance' report by the Northern Corridor Railways Group. As scheduled, we chaired a meeting of the Executive Committee.

On Friday 19 October, we both carried out a range of non-ministerial engagements, including constituency business. In addition to those engagements, we dealt with a significant number of departmental policy and Executive papers, Assembly Questions and other matters relating to our ministerial roles.

Mr Brolly: Go raibh maith agat arís, a Cheann Comhairle. Will the deputy First Minister provide some detail about the meeting with the US ambassadors Tuttle and Foley?

The deputy First Minister: Last Tuesday, the First Minister and I hosted a very successful lunch for the representatives of 17 blue-chip US companies, accompanied by Bob Tuttle, the US ambassador to the UK and Tom Foley, the US ambassador to Ireland. Together with the Minister of Enterprise, Trade and Investment, we had the opportunity to brief them on the exciting economic opportunities here and to encourage them to consider investing. The visit was initiated by President Bush's special envoy, Paula Dobriansky, as part of her very effective focus in securing support for the planned investment conference here next May. We believe that the conference will mark a massive step forward in helping to grow a dynamic and innovative economy, which is one of the key priorities in our draft Programme for Government. We look forward to debating the draft programme in the House later this week.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): Will the deputy First Minister join me in condemning without any equivocation the brutal murder of Mr Paul Quinn from Cullyhanna at the weekend? Given his own role as a major figure in the republican movement, will the deputy First Minister publicly use his position of influence to ensure that the individuals responsible for this murder are identified and dealt with by the lawful authorities in both jurisdictions, irrespective of their background or political leanings?

The deputy First Minister: I have no problem whatsoever in agreeing with everything that the Member has said. This was a dastardly murder, carried out by criminals in my opinion, and I speak with the full authority of the House when I say that we all send our sympathy to that poor man's family. It was disgraceful, and I appeal to anyone who has any information, no matter who they are, to give that information both to the Garda Síochána and to the Police Service here in the North; that is the only course that is open to them. Those activities are absolutely disgusting and have no place whatsoever in a civilised society.

Mr Speaker: Before I call Mr Ford, I say again to Members on all sides of the House that supplementary questions must relate to the original question.

Mr Ford: I associate myself and my colleagues with Mr Kennedy's remarks.

Given that the deputy First Minister and his colleagues have not found time between June and last week's Executive meeting to discuss the conflict transformation initiative, will the deputy First Minister now give a commitment to the House that the Executive will collectively ensure that funding of that initiative is brought to an end and that the wish of the great majority of people is carried through?

The deputy First Minister: That issue has been marked more by fiction than by fact. I speak on behalf

of everyone on the Executive when I say that I am absolutely opposed to any funding whatsoever going to the UDA, whether it decommissions its weapons or not. The funding that was introduced by Peter Hain was irregular; it was wrong, and it should never have been introduced. The decision that was made by the Minister for Social Development was absolutely correct.

'Challenge of Change'

2. **Mr Brady** asked the Office of the First Minister and deputy First Minister to give an assessment of the 'Challenge of Change' cross-border anti-racism initiative. (AQO 581/08)

The deputy First Minister: On behalf of the First Minister and myself, I had the pleasure of launching the Challenge of Change initiative on 3 October. I reiterate my congratulations to Newry and Mourne District Council and Louth County Council on securing significant European funding for that important work. Both areas, in common with many other areas here and in the South, have seen unprecedented growth in the diversity of their population over recent years. That offers enormous economic, social and cultural benefits. However, it also brings substantial challenges, in particular to ensure that all who choose to come and live here have the opportunity to participate fully in our society. Our public services face a particular challenge: if we do not promote racial equality in how we deliver services, we will risk promoting racial inequality. It is essential that everyone has access to opportunities and similar life chances. At the local level, the challenges must be met and the benefits of our increasing diversity must be secured. The Office of the First and deputy First Minister (OFMDFM) commends the initiative of both councils in establishing the Challenge of Change project. We are confident that it will yield benefits for service users locally and important lessons for us all.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. Can the deputy First Minister give an update on when the Peace III operational programme funding will become available?

The deputy First Minister: I am pleased that we have secured a third special EU peace programme. Including matched funding, Peace III will be worth €330 million from 2007 to 2013. That is a shared allocation between the Executive and the Irish Government. The Peace III budget is smaller than those of previous EU peace programmes. Following enlargement, the EU has faced significant challenges of political and economic transformation in many of the new member states. To have secured funding for a third EU peace programme in those circumstances represents a significant achievement. The draft Peace III operational programme has been submitted to the European Commission for

approval. We look forward to agreement with the European Commission on the new programme so that it can open for applications later this year.

Mr McNarry: Will the deputy First Minister agree that change in diversity will come only when the lead parties in the Assembly stop pursuing their linguistic agendas ahead of the economic agendas?

The deputy First Minister: There is a mighty responsibility, not only on the two larger parties but on all of the parties in the Assembly, to show leadership in the community. All parties must recognise that newcomers are arriving on our shores, North and South, and that that represents major challenges. To use the question to open up another debate on another argument — I presume about the Irish language — is a bit of a liberty and a mistake. Ensuring that people are treated with fairness and equality is the responsibility not only of the two larger parties but all of the parties in the Assembly. I am delighted to say that all of the parties in the Assembly, and many local government agencies, are now working hard to ensure that people who come here are not only welcomed, but given the essential support that they deserve.

Mrs Hanna: Can the Minister assure me that the anti-racism initiative will be part of a local strategy to promote racial equality, especially in hotspots, where racism must be proactively challenged?

The deputy First Minister: I absolutely agree. The initiative that Newry and Mourne District Council and Louth Local Authorities took demonstrates that local authorities and people in different parts of the country are facing up to the huge challenges before us. There has been a recent increase in racist attacks, and we have a huge responsibility to do everything in our power to ensure that we defend the rights of people who come here, many of whom feel isolated, lonely and vulnerable.

Plans to Promote Northern Ireland

3. **Mr Shannon** asked the Office of the First Minister and deputy First Minister what plans it has to promote Northern Ireland in the United States of America and in Europe. (AQO 503/08)

The deputy First Minister: Promotion in the United States and Europe is a high priority for OFMDFM. The bureau in Washington promotes several priority sectors to key audiences in the United States, including politicians, businesspeople, academics, research institutions and cultural organisations. We are also engaged in several major initiatives to encourage investment and visits from the United States.

Invest NI and the bureau are working with the US State Department and US businesses to bring over

several economic missions in the next few months. We will travel to Washington, DC, and other major US cities to plan an economic conference for early 2008. OFMDFM will work with Minister Dodds and meet chief executives of major US corporations to promote the investment message.

The First Minister and I hope to travel to Brussels before Christmas to hear, at first hand, about the progress made by the European Commission Task Force, the establishment of which the Commission's President Barroso announced on 1 May 2007. Our planned visit follows on from a series of visits by Ministers over the past six months: several Executive colleagues, including both junior Ministers and I, have visited Brussels and met senior politicians and officials on departmental business. Such a level of personal engagement is important in keeping the North in the minds of our European partners. It demonstrates to those in the European institutions, in addition to potential investors, tourists and regional and industrial partners, that we are open for business.

I commend the work of the Executive's Brussels office, which supports Ministers and officials when they visit the city. To ensure that the North's interests are taken into account as policies are developed, it also assists Departments in their monitoring of policy and legislative proposals that are working their way through the institutions. The office works with other regional offices to promote a positive image, most recently by participating, with other regional offices, in the European open-day event that promoted Europe's regions and cities. The office also makes its facilities, expertise and advice available to local government and civil society representatives to assist them in their dealings with the European institutions.

Mr Shannon: I thank the Minister for his detailed response that outlined the situations in the United States and Europe. Does the Minister agree that there is tremendous goodwill in the USA and Europe towards the people of Northern Ireland and the Assembly? Does he agree that it is time to promote Northern Ireland and to encourage businesses to set up here and create employment, which would benefit everyone? Will stronger trade links be established between businesses in Northern Ireland and those in USA and Europe?

The deputy First Minister: I recently visited the United States at the same time as Ministers Poots and Empey. There, the phenomenal interest in the political developments over recent months is obvious. A tremendous sense of goodwill and support emanates from everyone that we meet on our visits to the United States. In all probability, the most important economic-investment conference ever to be held here will take place in about May 2008. In the lead-up to that conference, further economic missions will come over from the United States. That demonstrates that people

in the United States have a huge interest in the situation here and are seriously considering investing in this part of the world.

2.45 pm

There is a limited window of opportunity because the presidential election campaign kicks off, big time, early in 2008. Therefore, the period between now and May 2008 is critical. We must take advantage of that opportunity, but we are being well supported. The visit by Ambassador Tuttle and Ambassador Foley and the level of interest being shown by Paula Dobriansky at the State Department clearly show that there is enormous goodwill for all the work that we are doing. If the economic investment conference is successful, and if we secure more highly paid, quality jobs for our young people, that will have a massive effect on the battle that we are fighting to ensure that the economic prospects for all our people are improved.

Mr Gallagher: Does the deputy First Minister agree that, in promoting any part of Ireland, a key target group is those of Irish descent, and that that is particularly true in the United States? Will the deputy First Minister provide an update of any discussions that he has had with the Dublin Government in relation to the promotion of the island? As a representative of a constituency that has been starved of foreign inward investment for many years, does he see any role —

Mr Speaker: Order. Supplementary questions should relate to the original question. I have to rule that supplementary question out of order. It does not, in any way, relate to the original question.

Mr McCallister: I will try to stay on the subject. Does the deputy First Minister agree that the fundamental purpose of our Washington office differs from that of the European office, in that it is primarily geared towards attracting new business and inward investment to Northern Ireland? To that end, does he believe that the office should, therefore, be business led rather than managed by the Civil Service?

The deputy First Minister: The experiences of recent years were a result of the circumstances of the time. However, we now find ourselves in a wholly new situation as a result of restoration of the institutions. As I said in an earlier answer, there is huge interest in the United States and in Irish America. Many Irish-American companies have shown tremendous interest. Much of the work that has been done by the Irish Government has assisted our efforts to generate interest in attempts to bring about an approach whereby everywhere on the island will benefit, but, particularly here in the North, because we have had such uneven development in recent times.

There are big questions for us to answer in respect of the Washington bureau and how we take its work forward. There will be a change in the leadership of

the bureau in the next few weeks. On 1 November, Norman Houston takes up his position as director of the bureau. The challenges that lie ahead must take into account the points that Mr McCallister has just made.

North/South Ministerial Council: Institutional Format

4. **Mr W Clarke** asked the Office of the First Minister and deputy First Minister to detail what arrangements have been made for the North/South Ministerial Council to meet in institutional format; and the issues that will be under discussion at that meeting. (AQO 579/08)

The deputy First Minister: At its plenary meeting on 17 July 2007, the North/South Ministerial Council agreed to hold a meeting in institutional format in October 2007. The North/South Ministerial Council secretariat is currently finalising arrangements for that meeting. We will give the Executive and the Assembly details of the date, agenda and ministerial attendance for the meeting when those have been finalised and agreed. Following the meeting, a report will be made to the Executive and to the Assembly.

Mr W Clarke: Will the deputy First Minister update the House on the establishment of the review of areas of North/South co-operation and of the all-Ireland implementation bodies? Furthermore, will he provide details of the two advisers from the Executive who will be appointed to that review?

The deputy First Minister: The review will be undertaken by a review group, which will report to the North/South Ministerial Council. The review group includes senior officials from the Office of the First Minister and deputy First Minister, the Department of the Taoiseach, the Department of Foreign Affairs, and the North/South Ministerial Council secretariat. The review group will include an advisory panel of four expert advisers, two of whom will be nominated by the Executive and two of whom will be nominated by the Irish Government.

The two expert advisers appointed by the Executive are Peter King and Sean Oliver.

Mr Gardiner: Can the deputy First Minister confirm that the mode of operation of the North/South Ministerial Council, including meetings in the institutional format, remains unchanged from the protocol of the Belfast Agreement of 10 April 1998 and the British-Irish Agreement of 2 December 1999?

The deputy First Minister: The North/South Ministerial Council is what it is.

Mr Durkan: Would it be possible for Ministers representing both Administrations, meeting in the institutional format, to discuss the possibility of a new study of the obstacles to mobility to take account of

new issues that are arising — particularly in, but not confined to, border areas — including access to and eligibility for services, as well as the question of residential requirements that are imposed on different services? That is a matter that must be looked at in the round if politicians are to find sensible answers for service providers and service users.

The deputy First Minister: I have no doubt that that issue, among a range of others, will be discussed. There is no doubt that many people on both sides of the border face huge difficulties and obstacles to mobility. There are some very human stories — none of which I will relate to the House today — of people experiencing massive difficulties as a result of the obstacles. There is a willingness on all sides, which was shown at the last meeting of the North/South Ministerial Council in Armagh, to discuss those matters with a view to resolving them.

Tackling Racism and Sectarianism

5. **Mr McHugh** asked the Office of the First Minister and deputy First Minister to outline the next steps it will take in tackling racism and sectarianism.

(AQO 582/08)

The deputy First Minister: The First Minister and I have consistently committed ourselves and the Executive to the elimination of sectarianism and racism. Hate crime, in any form, is unacceptable. Recent PSNI statistics show a mixed picture: although there has been a decrease in sectarian crimes and incidents, the number of racial crimes rose from 746 to 861, which is an increase of 15%. Racial incidents also rose from 936 to 1,047, which is a 12% increase. The issues that sectarian and racist attacks raise — as well as the broader issue of racial equality — concern all sections of society. No community can be complacent about this wickedness.

While criminal justice matters are not transferred, we are committed to working closely with the police service and criminal justice agencies to tackle sectarian and racist attacks. Over the next few months, we will bring forward detailed proposals for a programme of cohesion and integration — designed to build on some of the excellent work being done, particularly by district councils — to address the challenges that local communities face. The core of those proposals will be action to tackle racism and sectarianism. The Department intends to bring the proposals for discussion to the Committee for the Office of the First Minister and deputy First Minister and to the Assembly in the next few months.

In the meantime, the Department will continue its extensive work with councils and other key organisations to support the excellent work to address sectarianism and racism and build good relations in many local communities.

Mr McHugh: I am sure that the deputy First Minister will agree that, following a racist attack on a family in Enniskillen, it is important that the local community should actively show its opposition to those who carry out such foolish attacks. What information is given to migrants when they come to this part of Ireland, given that they are often inarticulate — due to language difficulties — and, often, badly represented?

The deputy First Minister: Attacks on anyone — particularly newcomers to our shores, many of whom feel isolated and lonely — must be utterly condemned by everyone, whether they occur in Enniskillen or anywhere else.

The Government is committed to protecting the rights of all workers. It is not in anyone's interests for new arrivals to be paid less than the going rate or have to put up with overcrowding in substandard and unsafe accommodation. It is clearly not in the interests of the migrant workers themselves nor those of the vast majority of the population.

OFMDFM has funded a number of welcome packs to address the information needs of new arrivals. We have also been pleased to have provided the funding, along with the Human Rights Commission, to produce a series of migrant worker rights guides. We have distributed thousands of copies, as well as making them available on the Internet. The guides are for workers from the EU/EEA member states, the so-called accession states, and for those outside the EU who arrive under work-permit and sector-based scheme arrangements. They provide comprehensive information on social security, housing, employment, health, immigration and other rights to help newcomers exercise their rights.

The Law Centre and the Human Rights Commission are to be congratulated on their work in producing the booklets, and we are pleased to have facilitated the extensive consultation between the authors and Government Departments to ensure the accuracy of the information. We will continue to fulfil that role, as the guides are updated periodically.

Mrs Long: I thank the Minister for his answer. Last week, departmental officials briefed the Committee about the proposed good relations priority in the Department. They said that no assurance could be given that that priority would be based on the shared future policy, but that the emphasis would be on tolerance. In light of that, will the Minister take the opportunity to reassure Members that the First Minister and deputy First Minister are fully aware of progress in community relations thinking since the 1970s? Will he also reassure us that they will shortly, and jointly, look at active promotion of community relations through less passive priorities, such as engagement in education, and that they remain committed to the promotion of a shared future?

The deputy First Minister: The First Minister and I, and our colleagues in the Executive, are consistently,

through the responsibilities of our Departments, interested to ensure that we tackle the many grave issues relating to people who are being subjected to racial attacks and sectarianism. Obviously we want to move forward together.

By coming together in this Government, along with other parties, we recognise our responsibility to move forward in a shared way. We all know, and understand, that there are huge challenges — so these issues are a work in progress. During the course of our deliberations we will acquaint the Committee with those issues, and we will continually update our approach and attitude on how to tackle those very serious issues that have been identified.

Mr B McCrea: Is the deputy First Minister aware that in 2002 the University of Ulster produced research that indicated that one in three children aged from seven to 12 have received some form of sectarian threat, and if he has the run of himself, will he indicate whether that situation has become worse, better or stayed the same? Will he indicate if he is minded to do something about that himself, or will he bring the matter back to his Executive colleagues?

The deputy First Minister: We are all very conscious of our terrible past and the need to ensure, as we move forward, that we do not make the same mistakes that were made then. The restoration of these institutions on 8 May, alongside the North/South Ministerial Council and the British-Irish Council clearly signals that all of us connected with politics in the North of Ireland want to move forward together.

The leadership shown by all of the Members in this Assembly sets a good example to many people, but we are a society emerging from a very bitter conflict, and we have a duty and a responsibility, as we move forward, to show leadership at political level. I have no doubt that if we continue with that work, we will undermine the negative thoughts and agendas that are on the minds of some people and children within our society, albeit that they are in the minority.

As we all move forward, we much watch our language and lead by example.

3.00 pm

ENVIRONMENT

Drink/Drug Driving

1. **Mr Boylan** asked the Minister of the Environment to detail the number of drivers who have lost their licences as a result of drink-driving and driving while under the influence of drugs in 2005, 2006 and 2007. (AQO 576/08)

The Minister of the Environment (Mrs Foster):

For each of the calendar years 2005 and 2006, and for 2007 to date, the numbers of drivers who have lost their licences as a result of drink-driving or while driving under the influence of drugs has been 1,528 in 2005, 1,423 in 2006, and 970 to 30 September this year.

Mr Boylan: Has the Minister considered introducing a zero-tolerance approach to drink-driving and driving while under the influence of drugs? Will she share with the Assembly any other measures that she has to help in the detection of those offences?

Mrs Foster: The Member is probably aware that the limit in Northern Ireland is the same as that in Great Britain and the Republic of Ireland, at 80 mg of alcohol for each 100 ml of blood. Most other European Union countries have a limit of 50 mg for each 100 ml of blood, and some countries have a limit as low as 20 mg for each 100 ml of blood. I am in favour of lowering the limit, and the Department is looking at that possibility. Exceeding the limit in Northern Ireland is punishable by a mandatory driving disqualification of at least one year, plus a fine of up to £5,000, and a possible maximum prison sentence of six months.

I am wary of saying this with the Minister of Finance and Personnel sitting beside me, but the Member will know that the Department has quite a considerable advertising budget. The Department will continue to look at the effectiveness of that advertising. We believe it to be effective, but it is a matter for our road safety strategy review, which is ongoing.

Mr Speaker: Before I call Mr Kennedy for a supplementary question, I remind him that his supplementary must relate to the original question.

Mr Kennedy: Mr Speaker, I am greatly cautioned by what you have said. I welcome the Minister's reply. On the issue of road safety, to which I believe my question is linked, will the Minister undertake to consult with her ministerial colleague, the Minister for Regional Development, with a view to identifying accident black spots on the Province's roads, and take specific action, where possible, to address any shortcomings in road surfacing and design in order to reduce accident risk?

Mr Speaker: Order. I warned the Member, and he is almost challenging the ruling from the Chair. The Member was allowed to get away with it on the first occasion, but he will not get away with it on what is the third occasion.

Mrs Foster: My Department has ongoing engagement with both DRD and the Police Service of Northern Ireland on what can be done to lessen the number of accidents on our roads. There is no such thing as bad roads causing deaths. Deaths are caused by other factors; although roads may be a contributing factor, they are not the only factor.

Mr Gallagher: Does the Minister agree that one of the frustrating problems surrounding convictions for serious offences such as drink-driving is that a ban in this jurisdiction does not have any effect across the border, and vice versa? Will the Minister provide an update on work to harmonise penalties across the island? Will she provide any dates for the introduction of legislation to that effect?

Mrs Foster: In February 2006, the then United Kingdom Minister of State for Transport, Dr Stephen Ladyman, and his then Irish counterpart, Martin Cullen, announced that the United Kingdom and Ireland intended to co-operate as soon as possible on the mutual recognition of driver disqualification.

In July 2006, the UK Cabinet Domestic Affairs Committee gave clearance, subject to discussions among officials on funding requirements for the courts, for proposals to proceed on the mutual recognition of driver disqualifications between the United Kingdom and Ireland. There was public consultation on the matter from 13 February 2007 to 8 May 2007, and all responses were positive. As a result, subordinate legislation is required in Northern Ireland and GB. Officials in the United Kingdom and Ireland are working closely together in order to initiate the mutual recognition of driver disqualifications as soon as is practicable. It is my hope that that will happen soon.

Unfortunately, the matter of penalty points is more complex. The question of whether it is possible to speed up the project was raised with me most recently at the North/South Ministerial Council. I am hopeful that we can push ahead and that the issue of driver disqualifications will be dealt with in the near future.

Atomic Energy Authority Technology Figures

2. **Mr B McCrea** asked the Minister of the Environment, further to her recent comments following the publication of the Atomic Energy Authority Technology figures on Northern Ireland greenhouse gas emissions, what steps she is taking to ensure that the methodology and data sources used to measure emissions are accurate. (AQO 573/08)

Mrs Foster: The Member is referring to my comments about the recent publication, 'Greenhouse Gas Inventories for England, Scotland, Wales and Northern Ireland: 1990–2005', which was compiled by Atomic Energy Authority Technology, now known as AEA Technology. That report indicated that total greenhouse gas emissions were down by 6% in 2005 and that carbon dioxide emissions were down by 4% on 1990 levels. Previous publications indicated that figures for Northern Ireland were above the base year levels.

As the United Kingdom Government and the devolved Administrations bring forward the draft climate change Bill, with its UK target of a 60% reduction in carbon dioxide emission by 2050, Members are aware of the increasing significance that is attached to emission calculations. It is important, therefore, that there is a consistent and credible understanding of Northern Ireland's true position. Hence, my officials have initiated work with AEA Technology in order to examine the major data sources and the methods that are applied to calculate Northern Ireland's emissions across the energy, business, industry, domestic and agriculture sectors. That will provide for improved accuracy and an understanding of emission trends. It is also intended that that work will provide a methodology to estimate future levels of emissions relative to targets, and I hope that that work should be completed in March 2008.

Mr B McCrea: Linked to my original question about atomic energy and the need for proper questioning, the Windscale pile issue, the Republic's Health Research Board's figures that indicate that no environmental factors were at play in a cluster of Down's syndrome births and tackling the incidence of cancer in County Louth that was found to be normal by the National Cancer Registry in Ireland, will the Minister indicate whether she thinks it is safe for Ireland, Northern Ireland or any other part of the United Kingdom to consider atomic energy as a viable source of energy?

Mr Speaker: Once again, the Member's supplementary question relates in no way to the original question. The Member's question concerns health. Members — on all sides of the House — must link supplementary questions to the original question, and that supplementary question certainly did not do that. We will move on.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. What is the Minister's Department doing to ensure year-on-year decreases in carbon dioxide and other emissions?

Mrs Foster: That question applies across the entire Government. In May 2006, OFMDFM published 'First Steps Towards Sustainability: A Sustainable Development Strategy for Northern Ireland', and a supporting implementation plan was published in November 2006. That strategy's key objective is to reduce emissions, principally by promoting energy efficiency and the use of renewable energy, including biofuels in transport. Therefore, many Departments have a role to play in reducing emissions.

As Members would expect, my Department is making significant progress, particularly with the draft climate change Bill, consultation on the carbon reduction commitment and the promotion of the EU emissions trading scheme. The Department is also leading the way in getting its own house in order by improving the

recycling of office waste from 32% in 2004 to 71% in 2006 and by reducing travel. Despite a 4% overall increase in staff numbers, the DOE has reduced the number of flights taken by its staff by 22% on the previous year — something of which the staff can be justifiably proud.

Lord Morrow: What, in the Minister's opinion, are the most significant sources of emissions in Northern Ireland?

Mrs Foster: Carbon dioxide emissions in Northern Ireland are mostly caused by power stations, transport and residential combustion. Those sectors accounted for approximately 85% of carbon dioxide emissions and just over 60% of the total emissions in 2005.

Agriculture is still a significant source of other greenhouse gases, such as methane and nitrous oxide, and has contributed to over 20% of the total greenhouse gas emissions in 2005.

Mature Garden Trees

3. **Mrs Long** asked the Minister of the Environment what plans she has to prevent mature garden trees being destroyed at weekends, particularly by property developers. (AQO 555/08)

Mrs Foster: I acknowledge that when mature garden trees are cut down, local residents would like to see intervention by an official from my Department, in the belief that that will immediately stop tree felling. However, it is not an offence to cut down a tree unless it is covered by a tree preservation order or is within a conservation area.

A provisional tree preservation order can be made relatively quickly, although it must be recognised that it still takes time to make such an order, particularly over a weekend. It is not possible to provide immediate, on-the-spot protection because various officers are required to check records to see whether the trees are protected, and, if not, to assess the condition of the trees and to draw up the appropriate documentation and maps required for a provisional tree preservation order.

Mrs Long: I thank the Minister for her answer and for correspondence that I have received recently from her. Given that tree felling is now literally clearing the way for the submission of planning applications, as opposed to construction, is it not worth looking at new legislation to allow intervention in order to make a timely assessment of the value of the trees before any further felling is undertaken? Many developers feel that they have complete free rein to clear sites at weekends and on bank holidays.

Mrs Foster: I said that a provisional tree preservation order could be made relatively quickly. Indeed, the law was changed some three years ago to allow that to take

place. Also at that time, the legislation did away with clauses that allowed those who might be affected by a tree preservation order to claim compensation.

I appreciate residents' concerns about the issue. I spoke to divisional officers who told me that they get about two weekend call-outs a year. Although there is no dedicated emergency team, I understand that in the Member's constituency, emergency calls are usually fielded by the divisional planning office, and officers try to go out and deal with such issues.

The number of incidents of tree felling at weekends is, therefore, relatively small and does not warrant the level of resources that would be required to set up a dedicated, on-call, 24-hour team. I have been told that it takes four different members of staff, believe it or not, to make a tree preservation order, and therein lies part of my resource difficulties.

Mr P Ramsey: Will the Minister outline what she will do to improve the Environment and Heritage Service's enforcement rates, following the publication of the recent Criminal Justice Inspectorate report?

Mrs Foster: Enforcement is taken forward not by the Environment and Heritage Service, but by the Planning Service. I welcome the recent Criminal Justice Inspectorate report, which gives us an opportunity to examine areas that it has signposted. It would be wrong of me to refer to that before my Department has had a chance to take into account what it says in detail on that issue.

Mr Buchanan: The protection of trees in Northern Ireland is an important issue. Will the Minister explain to the House how a tree preservation order is made?

Mrs Foster: There are two ways of making a tree preservation order. Under article 65 of The Planning (Northern Ireland) Order 1991, the Department may give notice of intention to make a tree preservation order to the owner and occupiers of the land, who have 28 days from the date of the notice in which to comment.

3.15 pm

The order does not take effect until it has been confirmed by the Department. Alternatively — and this is the power that came in three years ago under article 65A — the Department may make a provisional tree preservation order that takes immediate effect on the date specified, providing protection for the trees. A tree preservation order with immediate provisional effect must be confirmed — rather like spot listing — within six months of the date of the order, otherwise the protection afforded to the trees expires.

Retail Development

4. **Mr Dallat** asked the Minister of the Environment to outline what steps have been taken to ensure that

large-scale, and in particular, out-of-town retail development, does not impact negatively on town centres and neighbouring smaller towns and villages. (AQO 594/08)

Mrs Foster: Retail policy in Northern Ireland is presently contained in a number of documents, including the 'Regional Development Strategy for Northern Ireland 2025'; 'Planning Policy Statement 5, Retailing and Town Centres'; 'Draft Planning Policy Statement 5, Retailing, Town Centres and Commercial Leisure Developments'; and the development plans for the area to which the planning applications relate.

During July 2006, a revised draft of PPS 5 was published for consultation. The revised policy proposed in the draft strengthens the existing policy that tests what will control out-of-town retail development. Comments on the draft are presently being considered. Publication of the final policy is subject to the outcome of a judicial review hearing that is scheduled for the end of November 2007.

Mr Dallat: I welcome the Minister's response. The Minister is aware that up to 50% of towns and villages in Britain have been left without a single shop, post office or bank. When will the Minister bring forward planning proposals that will offer fair and decent protection for independent and small retailers, who are still the heartbeat of rural communities, towns and villages?

Mrs Foster: The Department of the Environment believes that what the Member outlined is being provided through PPS 5 and the consultation process that is ongoing. There are approximately 75 applications for out-of-centre or out-of-town retail developments.

The Department has recently spoken to people in Banbridge and Lisburn regarding out-of-town development. Those people believe that it is helping the town and city involved, and they think that both Banbridge and Lisburn are doing well. Although I take on board what the Member has said, it is not always the case in particular towns.

Mr K Robinson: I noted the Minister's answer to the previous question. Will the Minister undertake to take steps to establish a comprehensive and reliable footfall figure for all town centres and out-of-town shopping centres across the Province so that an accurate assessment of the impact of out-of-town shopping centres can be made?

Mrs Foster: PPS 5 requires that all applications for out-of-centre or out-of-town retail developments over 1000 sq m gross retail floor space should be accompanied by information in the form of a retail impact assessment. The Member will know that that includes: the applicant's approach to site selection; the availability of suitable alternative town centre sites; its likely trading impact on existing centres; consideration of the accumulative impacts of the proposal; recently completed retail

developments; and outstanding planning permissions for retail developments.

Some people may point out that that is all very well, that the applicant could submit that retail impact assessment, but no one knows that it is not going to favour the applicant. That retail impact assessment is carefully analysed by officials from my Department who undertake a series of checks and tests to assess the acceptability of the information provided. Those are carried out before the application is approved, and provide a fair and balanced assessment of the retail impact.

Mr Simpson: Will the Minister give details on how the recruitment process is progressing for new planners, and approximately how many her Department needs to deal with the long waiting list?

Mrs Foster: It is no secret in the House, or, indeed, outside it, that we have had some difficulties in retaining staff in the Planning Service over the past number of years.

The professional and technical officer (PTO) grade is the normal recruitment grade for specialist planners. Promotion boards are generally used to fill vacancies at other levels. Currently, the Planning Service has 29 vacancies at that grade, representing 17% of the PTO staff complement. A competition for casual PTOs has just concluded, and 44 candidates were considered suitable for posting in the agency. Pre-appointment checks are under way, and the first of those staff should be available in early December. A casual appointment lasts for 51 weeks.

Environment and Heritage Service

5. **Mr Lunn** asked the Minister of the Environment what action she is taking to increase funding for the Environment and Heritage Service. (AQO 556/08)

Mrs Foster: Last year, the Environment and Heritage Service (EHS) secured additional funding of £0.75 million to curb the growing threat of illegal activity in waste management and to enhance the programme of designation of areas of special scientific interest. Next year, the grant-aid budget for listed buildings will increase by £1.5 million. As part of the Budget 2007 exercise, I have bid for further resources to develop EHS environmental-crime and better-regulation teams. The Executive Committee will discuss the proposals from all Departments, and it will then agree the overall allocations for the three Budget 2007 years. As the Member knows, the draft Budget will be published very soon.

Following a period of consultation, the final Budget will be published later in the year. It should be noted, however, that the Budget requires Departments and their agencies to deliver efficiency savings over the

next three years. That is a matter for EHS, and the funding must be viewed in that context.

Mr Lunn: I thank the Minister for her answer. Does she agree that urgent action is required on matters as diverse as delays in the planning process, the protection of areas of special scientific interest, which she mentioned, and the promotion of biodiversity and climate change? How does she intend to direct her Department's spending to meet those needs?

Mrs Foster: I am sorry that the Member was not with me when I was in a Budget bilateral with my friend the Minister of Finance and Personnel. We have made various bids in relation to the matters he has raised. Those will become clear in the near future.

Mr Ross: Will the Minister indicate what impact EHS has had in combating environmental crime?

Mrs Foster: EHS has had a significant impact on dealing with environmental crime. The environmental crime section is responsible for investigating illegal waste incidents and deals with upwards of 1,400 reports of alleged illegal waste activities per year. In 2006, the number of successful prosecutions taken against those committing waste offences was 112. Six of those were at Crown Court level; they were the first convictions for environmental offences in the Crown Court in Northern Ireland.

Additionally, EHS has referred a number of cases to the Assets Recovery Agency for criminal-confiscation and civil-recovery proceedings. Through the efforts of EHS, the number of water-pollution incidents has also fallen from 1,560 in 2001 to 1,170 in 2006. The number of incidents in 2006, which have been referred to the Public Prosecution Service, currently stands at 42.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. Does the Minister accept the criticism in the Criminal Justice Inspectorate report, to which she has already referred, that EHS is failing to protect the environment? Does she now recognise the need for the establishment of an independent environmental protection agency in the light of that report?

Mrs Foster: I do not remember reading those words in the Criminal Justice Inspectorate report. However, in relation to his question about an environmental protection agency, I remain open-minded about the recommendations of the review of environmental governance, including whether there should be an independent environmental protection agency. I will carefully consider my approach to environmental governance and, in so doing, take account of the review recommendations, resource considerations, the views of the Environment Committee on which the Member sits, and of any points that stakeholders would like to make. As the Member is aware, I made a commitment to Mr Ford that I would allow him to have those figures before Christmas. That commitment still stands and we

should be in a position to make more headway towards the end of the year.

Mr Armstrong: Is the Minister satisfied that EHS has sufficient funding to ensure that it can protect the integrity of Northern Ireland's only World Heritage Site, the Giant's Causeway?

Mrs Foster: The World Heritage Site issue does not really come under the subject of EHS resources. However, I am sure that there is no Minister in the Executive who would not say yes to more resources. I am certainly one Minister who would.

Giant's Causeway Visitors' Centre

7. **Mr McKay** asked the Minister of the Environment if she will provide the full Planning Service report and recommendations in relation to the planning application for the Giant's Causeway Visitors' Centre, to the Northern Ireland Assembly Committee of the Environment.

(AQO 572/08)

Mrs Foster: A letter was written to the Environment Committee on 10 October 2007 that explains why I am withholding the report at present and assures the Committee of my commitment to make the report available when a final decision on the application is reached.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. Can the Minister confirm whether UNESCO was ever supportive of the private application and whether it approved and was impressed by the proposal, as was suggested by Ian Paisley in a letter to the Heritage Lottery Fund?

Mrs Foster: The Member knows fine well that the only time that UNESCO will comment on an application is when one is brought to that particular body by a Government. I have not yet done that. When I do, the Member will be in possession of all the relevant information.

Mr Neeson: I remind the Minister that the Committee for Enterprise, Trade and Investment also has great interest in this issue. Can the Minister tell the House whether the other major stakeholders that are involved in the visitors' centre project, particularly Moyle District Council and the National Trust, have been included in discussions?

Mrs Foster: Yes, indeed. After 10 September 2007, the Planning Service engaged in a process with the applicant and the other major stakeholders that the Member has rightly identified. I understand that those meetings are continuing. When the initial round of discussions is complete, I expect to speak to Planning Service officials in order to find out how matters have progressed. When they believe that matters have come

to a conclusion, Planning Service officials will provide me with a final report. I will then make my decision.

Mr O'Loan: On 11 September 2007, the Minister expressed her amazement that the planning application for a visitors' centre at the Giant's Causeway had been outstanding since 2002 and that, therefore, she felt obliged to consider it immediately. It is now known that 23 article 31 applications, which are even older than that, have not yet been decided on by the Minister. Does she understand that Members are even more amazed by the total incompatibility of those positions? Will she attempt to reconcile those quite contradictory positions?

Mrs Foster: I am happy to reconcile those positions, which are not at all contradictory. The Member is quite right: when I came to office there was a large backlog of article 31 applications. The Member is aware of that because I sent him the figures in a written answer. One of those applications goes back to the 1960s. I have asked the head of the strategic projects unit to write to all of the applicants whose pre-1999 applications have not been dealt with to ask them to provide information that will allow Planning Service to determine the outcome of those applications. If that information is not provided, the applications will be refused. That is the situation.

Planning Regulations

8. **Mr McHugh** asked the Minister of the Environment for her assessment of the protection of built heritage within towns, villages and the countryside; and to make a statement on over development and the enforcement of planning regulations.

(AQO 571/08)

Mrs Foster: My Department seeks to protect and conserve the built heritage of towns, villages and the countryside by listing buildings of special architectural or historical interest and by designating conservation areas and areas of townscape character. PPS 6, 'Planning, Archaeology and the Built Heritage' and its addendum on areas of townscape character set out my Department's planning policies for the protection and conservation of built heritage. Both documents embody my Department's commitment to sustainable development and environmental stewardship.

In respect of concerns that have been expressed about overdevelopment, I can confirm that policy provisions, specifically on the intensification of development in existing residential areas, are currently being considered by a group of officials from my Department and the Department for Regional Development (DRD). More recently, the Planning Service issued a circular on my instruction to all its professional planners in order to remind them of the need to consider fully the impact of

development on established residential character when processing applications for new residential development.

As for the enforcement of planning control, there are dedicated enforcement teams in each divisional office. Unauthorised works that would adversely affect a listed building or the character of a conservation area or an area of townscape character are given high priority by those teams.

3.30 pm

Mr McHugh: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer. I am delighted that that amount of work is ongoing on the matter. Will the Minister say whether she has been able to work with EHS to ensure that the enforcement, and that all development —

Mr Speaker: I apologise for interrupting the Member. Perhaps he might like to put his question in writing to the Minister and get a written answer.

FINANCE AND PERSONNEL

Public Expenditure

1. **Mr Easton** asked the Minister of Finance and Personnel what action he was taking to ensure the most efficient and effective use of public expenditure.

(AQO 502/08)

The Minister of Finance and Personnel (Mr P Robinson): It is the responsibility of all Ministers, and their Departments, to ensure that resources are used in the most efficient and effective manner possible. As part of the 2007 Budget process, each Northern Ireland Department will achieve a minimum of 3% per annum cash-releasing efficiencies over the period 2008-09 right through to 2010-11. The resources that will be made available will be used to fund improvements in public services. In order to facilitate the delivery of further savings, my Department has formed the view that there should be a performance and efficiency delivery unit (PEDU) to examine the scope for further efficiencies — and for improvement in delivery and performance — both within Departments and across the wider public sector.

Mr Easton: Has the Minister made any estimation of the increased amount that could be made available in the comprehensive spending review (CSR) period through the work of PEDU?

Mr P Robinson: I am reluctant — and it might be inappropriate — to set a specific figure in case people believe that I am setting an upper limit. Instead, it is my intention that the performance and efficiency delivery unit would facilitate an increase in the overall

rate of annual cash-releasing savings to be delivered by Northern Ireland Departments over the CSR period from 3%, under current plans, to a minimum of 5%, which is in line with the upper end of the scale for Whitehall Departments. However, I say to the Member for North Down that it is not solely an issue about efficiency. The “P” in PEDU stands for “performance”. Therefore, it is also an issue of getting more for the same, more for less, or the same for less.

The Chairperson of the Public Accounts

Committee (Mr O’Dowd): Go raibh maith agat, a Cheann Comhairle. I would like to explore this performance and efficiency delivery unit further with the Minister of Finance. Its title and remit are areas that I would like to explore. In a recent speech to the Chartered Institute of Public Finance and Accountability (CIPFA), the Minister said that:

“PEDU will have authority to scrutinise and review, critically, the nature of spending in all areas ... Membership will be limited to a few respected individuals ... I am particularly keen that the PEDU will look at how we spend our money at present and what we achieve in terms of quality public services.”

Is the Minister in danger of setting up a unit that will undertake the work of the Assembly’s scrutiny Committees? How will the unit report back to the Assembly? It appears that — and I await explanation of it — we are in danger of setting up a quango at the heart of Government.

Mr P Robinson: The functions to be carried out are functions that are already held by the Department. Therefore, we are getting a specialised unit to examine a particular area of activity. I do not believe that there is an issue that should concern the Member, particularly for someone who comes from an Audit Committee background. I have already agreed that I will bring details of the unit to the Committee for Finance and Personnel. When it comes to the consideration of the panel members, I will be happy to talk to the Chairman and Deputy Chairman of that Committee about those who will be involved. The unit’s role is the role of any responsible Department of Finance and Personnel — looking to see that we are getting value for money, and that the Departments are delivering in accordance with the allocations that have been made to them.

I would have thought that the Member would have rejoiced about that, rather than expressing doubts about the process.

Mr Beggs: Concentrating on the words “efficient” and “effective”, which were used in the original question, does the Minister acknowledge that, in the past, children’s services here have been underfunded compared to services in the rest of the United Kingdom? That underinvestment was highlighted in a report by the Commissioner for Children and Young People. Is the Minister aware of the considerable international

evidence that shows how it is both efficient and effective to invest in —

Mr Speaker: Order. I do not how many times I need to say this, but once again I remind Members that they must as far as possible ensure that their supplementary questions relate to the original question. I will rule supplementary questions out of order if they do not relate to the original question.

I now call Mr Durkan to ask a supplementary question.

Mr Durkan: The original question asked about the efficient and effective use of public expenditure, and the Minister’s answer touched on the fact that that is the responsibility of all Ministers. Given that, does the Minister further agree that it is the responsibility of the entire Assembly, including, as Mr O’Dowd has said, the various departmental Committees?

I accept the need for a performance and efficiency delivery unit in the Department of Finance and Personnel such as the one that the Minister described. However, there is also a need for the Assembly to address more effectively, in real time, issues that involve the efficient and effective use of public expenditure. I ask the Minister to address that. It is not enough for us to rely on the very good work that the Public Accounts Committee carries out on accounts and past matters. Additional Committees in the style of the Public Accounts Committee could be established that could interrogate particular people and investigate incidences of waste of money, cost of government, inefficient use of resources, and non-performing programmes.

Mr P Robinson: I accept that the Assembly has, through its scrutiny Committees and other Committees, a considerable role to play in examining the performance and efficiency of each Department. The latter part of the Member’s questions flows from a question — which I did not quite get to answer — that his colleague from East Londonderry asked at a previous Question Time. That question was about the ability to respond — in real time, as the Member has put it today — to some of the issues that arise. The Member’s suggestion seems to make good sense. However, the difficulty with his proposal is that if members of the Audit Committee, or anyone who is involved in the audit process, become involved while matters are ongoing, it becomes more difficult for them to be critical of what has happened at the end of the process — they are sucked into the system. Perhaps, therefore, the Assembly and its Committees have more of a role to play in calling in ongoing projects. I am certainly quite happy to facilitate the work of any Committee that wants to get involved with financial details on an ongoing basis.

Mr Speaker: Questions 2 and 3 have been withdrawn.

Rating Reform

4. **Mr Ford** asked the Minister of Finance and Personnel to provide an update on rating reform.
(AQO 563/08)

Mr P Robinson: The Executive review of domestic rating, which I commissioned in May this year, is now well under way. The consultation finished on 31 August 2007, and a report outlining what people and organisations said was published on 25 September 2007. We are working closely with the Committee for Finance and Personnel, which is scrutinising the consultation report and taking evidence of its own. Once we have the Committee's response, I intend to bring proposals to the Executive as a matter of priority so that decisions can be announced later this year.

However, earlier this year, my Department engaged the Economic Research Institute of Northern Ireland (ERINI) to undertake a study into the effectiveness and impact of the policy to phase out industrial derating. A preliminary draft report has been received from the institute and is being considered by my officials. I expect a final report by the end of the month, and following consideration by the Finance and Personnel Committee and the Executive of that report, I will make a statement to the Assembly of my intentions for the longer term.

In the meantime, I will have to outline my short-term intentions as part of the Budget process. ERINI's final report will not be available before then, but its preliminary report takes a hard look at the import of those measures and identifies concerns about their potential long-term effect on some firms.

There is enough evidence contained in that report, which I have to hand, on which to base my early decision. I will not say much more about that until the Budget statement. However, Members will be aware of my line of thinking on the matter. If the focus and centrepiece of Government policy is economic growth, it would be inconsistent to make life more difficult for business. The Economic Research Institute of Northern Ireland is also considering the case for a small business rate relief, and I hope to have its findings on that by the end of the year.

Mr Ford: We look forward to seeing a detailed statement on industrial derating soon. On domestic rating specifically, does the Minister agree that the capital value of a person's home on 1 January 2005 is not sufficiently reliable as an indicator of ability to pay to be used as the sole basis for determining the rates?

Given that that statement is taken from his party's manifesto, does he agree that we need to move towards a system that is more firmly based on ability to pay than the current rating system, even with modifications, is likely to be?

Mr P Robinson: I am glad that the leader of the Alliance Party is such an avid reader of Democratic Unionist Party policy documents. Naturally, I agree entirely with that document; indeed, I may have had some part in its drafting. I would go beyond that; I do not believe that capital value provides for a proper assessment of peoples' ability to pay — not just for rates but for water charging. There are wider issues at stake, and we must examine those issues, in the interim at least, in order to achieve some changes without the requirement for new legislation. We must find a way to have reliefs that will take ability to pay into account.

Mr McCallister: Will the Minister indicate whether the Chancellor of the Exchequer has advised him that rates relief would be available on that part of the rates that is being attributed to water charging?

Mr P Robinson: The movement of any portion of the rates to cover water charging would not be allowable under the rules governing annually managed expenditure, and, therefore, would not be subject to the reliefs that are currently available. However, the Minister for Regional Development is examining other types of relief in relation to the water-charging system.

Mr Dallat: Will the Minister give the House a flavour of the most significant views emerging on rating reform, and will he tell us how he intends to protect people on low incomes who are not in receipt of housing benefit?

Mr P Robinson: I could do that quite easily. However, if I go down that road, the Member and the Assembly will very quickly learn the direction from which my decisions will come. He is right. The area of activity that is most important to me is to examine, through the consultation, the means to assist those in greatest need. By and large, that means senior citizens, and we must examine ways in which to give assistance to people who, in many cases, have reduced incomes but live in large homes with a high capital value. We are considering those issues, but our overarching purpose should be to examine ability to pay no matter which section of the community is affected.

Mr Speaker: Question No 5 has been withdrawn.

Water Charges

6. **Mrs Long** asked the Minister of Finance and Personnel to report on the implications for the level of the regional rate, if additional water charges are added to the overall rates burden.
(AQO 566/08)

Mr P Robinson: Consideration of the level of the regional rate and the way forward in respect of water and sewerage charges are being taken forward by the Executive as part of the ongoing Budget process. However, as the Minister for Regional Development

said in his statement earlier today, the amount due to be collected from domestic households through the regional rate will be reduced by the amount of the contribution that households already make through the rates for water and sewerage services. That would amount to £109 million each year, or an average of £160 per rates bill.

3.45 pm

Mrs Long: I thank the Minister for his response. Without giving anything away — he clearly wants to surprise us all on Thursday — can the Minister elaborate, in light of the Minister for Regional Development's announcement to the House today, on his intention to incorporate water charges in domestic rates bills? Does the Minister believe that the current review into domestic rating needs to be fundamentally reassessed in light of that decision, given the changes that are likely to occur, particularly in the level of rates in future years? Is that specifically included in the short-term measures that he referred to earlier in today's sitting?

Mr P Robinson: At their last meeting, the Executive, when dealing with the report provided by the Minister for Regional Development, saw that the issue was significantly complex that a number of decisions had to be taken. We determined that we had to take the step of considering the size of the overall envelope — in other words, the amount that needs to be put into the three years of the CSR process, under the heading of water.

The figures that were indicated in the statement by the Minister for Regional Development indicate the global parameters within which the public will be asked to address the issue of water. As the Minister said this morning, there will be no requirement for the public to pay for water services in the first of those three CSR years. In the second year, the public will be asked to provide two thirds of the remaining amount, after £160 is taken out of rates and handed over to water. In the third year, they will pay the full amount.

There is some confusion over the rates bill. It is more likely that at the end of the process there will be a household bill, which will comprise a number of elements. One of those elements will be the regional rate, another will be the district rate and another will be the water charge. The community has demanded transparency, and that type of outcome would be transparent as it would show people exactly what they were paying for.

Mr Storey: Can the Minister indicate what the likely level of local taxation would have been in 2008-09 if direct rule had continued?

Mr P Robinson: In the current financial year, 2007-08, the community would already have been paying one third of the water charge bill as a result of the decision that was made under direct rule. Mr, Mrs and

Ms Average currently pay £404 for a regional rate and around £300 for a district rate. On top of that, they would have had to pay around £100 for a water charge.

In the year that the Member refers to, 2008-09, given the 10% increase on average in the last five years on the regional rate, the regional rate would be, on average, in the region of £444 as well as two thirds of the water charge, which would have been around £200. As there will be no water bill during the course of the next financial year, the consumer will be saving that amount of money.

Northern Ireland Civil Service: Sick Absence

8. **Mr O'Loan** asked the Minister of Finance and Personnel to give his assessment of the rise in the level of sick absence in the Northern Ireland Civil Service, from 13.4 days lost per worker in 2005-2006 to 13.7 days in 2006-2007; and what action he was taking to ensure that the current target for reduction will be met. (AQO 545/08)

Mr P Robinson: As I indicated to the Assembly in June in response to a question from Mr Sammy Wilson, I regard sick-absence levels in the Northern Ireland Civil Service as totally unacceptable. I also advised the Assembly that the final figures for 2006-07 would be available in September, and that provisional estimates indicated a higher overall absence level for 2006-07 than for the previous year. The Civil Service was heading in the wrong direction, and I made clear my intention to take urgent and immediate action to address that situation.

I am pleased to report that recent figures indicate that the trend of increasing sick absence has stopped and that absence levels are reducing. Nevertheless, I want to see absence levels reduced beyond that turnaround to make better progress towards the current targets.

I plan to meet all permanent secretaries before Christmas to discuss progress and to ensure that reducing sickness absence remains a top priority in all Departments. As promised, I presented a paper to the Executive in July. Its recommendations, which all ministerial colleagues endorsed, included the robust and consistent application of existing absence-management policies, the need for strong leadership and early intervention by management, and consideration of whether existing policies would deliver the radical shift required.

Recent analysis of sickness absence points to long-term absence as the reason for targets not being met. In the light of the progress made between 2003-04 and 2005-06, that is hugely disappointing. I have convened a small working group specifically to examine long-term absence, with a focus on psychiatric and psychological illnesses, and to explore new ways in

which to tackle the problem. I am satisfied that the current targets are appropriate, and there is a strong determination in all Departments to achieve the targets, particularly that of reducing the average sickness absence to 9.5 days by 2010.

Mr O'Loan: I thank the Minister for his interesting answer, and I am pleased to hear the tentative good news. I am sure that everyone supports his efforts to address the issue. No one considers slack management to benefit those at work or those not at work.

In an earlier answer, the Minister mentioned the 3% and 5% efficiency cuts. He has also said that some parts of the organisation can easily stand such cuts but others cannot. Will the crude application of 3% and 5% cuts across the board not significantly contribute to work stress in certain areas, and, consequently, to sickness absence?

Mr P Robinson: The Department has not received any evidence to suggest that the 3% or 5% efficiencies cause absence. However, I set up the working group because some 30% of absences are down to psychiatric or psychological illness.

The performance and efficiency delivery unit exists to ensure that the fairly blunt instrument of applying the same cut to all Departments does not result in merely trimming the fat from one Department and making such an impact on another that it places people under more pressure than they should have to endure. The PEDU will consider that issue, and the working group will specifically examine sickness absence.

Mr Ross: Will the Minister detail how absence in the Civil Service compares with other sectors?

Mr P Robinson: I will detail the comparison with other parts of the public sector and with the private sector. In local government, the average sickness absence for local councils, as measured in March 2007, was 13.73 days, although there was a wide spread of sickness absence. Two councils that deserve mention are Castlereagh Borough Council and Lisburn City Council, which have made a significant reduction of four days in their absence rates over recent years. If the Civil Service could effect similar change, that would be a considerable improvement.

Absence rates in other parts of the public sector are much higher than those in the private sector. However, I sound a note of caution because, although the single figure of days lost in the private sector makes it appear significantly more efficient, its means of calculation differs from that used in the public sector. Although that may put the figures out of kilter, there is a significant and unacceptable gap between absence levels in the public and private sectors. I have asked officials to ensure that Northern Ireland Civil Service policies and procedures reflect organisational best practice.

Capital Investment

9. **Mr Buchanan** asked the Minister of Finance and Personnel what plans he had to maximise the sale of surplus assets to allow further capital investment.
(AQO 500/08)

Mr P Robinson: The departmental capital allocations in the draft Budget will be predicated on the delivery of capital receipts by Departments throughout the Budget period.

Although Departments have identified a significant level of capital receipts, there is scope to go further. There are strong grounds for a focused approach to asset realisation and a need for a fundamental review of departmental asset bases to ensure that we make the best use of the public assets at our disposal.

Mr Buchanan: What level of asset disposals have the Departments identified over the Budget period?

Mr P Robinson: In the CSR period, £400 million has been identified in the first year, £200 million in the second year and £500 million in the third year. Unquestionably, £1.1 billion is a considerable amount of money to assist us in looking at new assets. Some people, unthinkingly, have suggested that we are selling the family silver, but if you sell assets that you are not using and buy assets that you will use, that is not selling the family silver — it is simply good common sense and a prudent way to use the resources that are available. The various Departments have identified £1.1 billion, and they have worked hard to identify that amount. It is more than has been identified in any other three-year financial period. There are further Government-owned assets that could be disposed of, as they are not being utilised, and we will consider how we ought to deal with such issues. The Executive have made an attempt to thrash that out, and they are examining proposals to address the matter.

Mr P Ramsey: Further to the Minister's response on freeing up assets, will he outline whether all Departments are working co-operatively with him to ensure that there is free land for social and affordable housing across Northern Ireland? Are any public bodies reluctant to co-operate?

Mr P Robinson: The Executive cover 11 Departments. Therefore, it should not be simply up to the Minister for Social Development to release her assets to provide funds for social and affordable housing. If we are joined-up in our Government, assets can be released from other Departments for that purpose, but, again, one would expect a lead from the Minister for Social Development. Over the period that we are looking at and the work that will be done, we can identify land that can be used for that purpose not only in her Department but in other Departments.

Review of Rating Policy: Budgetary Implications

10. **Mr McNarry** asked the Minister of Finance and Personnel to detail the budgetary implications for 2008-09, as a result of the current review of rating policy. (AQO 524/08)

Mr P Robinson: No decisions have yet been made on any changes to the rating system. Analysis is ongoing, and preferred options have not yet been identified. In light of that, it is not yet possible to detail the budgetary implications for 2008-09. Nevertheless, assumptions have been made and a range of scenarios have been modelled to inform the draft Budget, which is due to be published shortly. Furthermore, the outcomes of the review will be announced later this year, and they will be available to inform final decisions on the Budget which will be taken early in 2008.

Mr McNarry: As a result of the proposed additional water element of rates, how much of the additional revenue over and above current rates will be raised by water charging during 2009-10 and 2010-11?

Mr P Robinson: Hopefully, that will be a matter for the Executive to discuss tomorrow. On Thursday, we are supposed to announce the Budget and to take the final decisions on those matters. The steps that we have taken thus far have been taken by all parties in the Executive. There was widespread agreement that people should not be asked to pay twice for water and, therefore, that there should be a reduction from the rates bill, having identified that portion of the rates bill that had been hypothecated for water in the past.

There is a real difficulty in getting exact figures for either water or rates bills because the Independent Water Review Panel indicated a level of efficiencies. The Executive must decide whether they believe that that level of efficiencies can be realised in the suggested time frame, or even realised at all.

Another principal issue in the panel's report is the £25 million that is presently being charged to water consumers for road drainage. We have to look at whether that £25 million can be subsumed within DRD so that it frees up that part of the bill. Currently, there are a number of imponderables, which is why I indicated earlier that we had, in effect, agreed the overall funding envelope rather than the specific details of water charging.

4.00 pm

Mr Speaker: Order. Time is up for questions to the Minister of Finance and Personnel.

Mr Gallagher: On a point of order, Mr Speaker. Shortly after business commenced today, there was discussion about a conversation that you had with the Minister of Finance and Personnel. You stated that you

treat all Members in exactly the same way. However, during questions to the First Minister and deputy First Minister, Mr Danny Kennedy asked a supplementary question that had nothing to do with the original question. Not only did you allow him to ask that question, but you called the deputy First Minister to respond. The leader of the Alliance Party, Mr Ford, then also asked a supplementary question that was totally unconnected to the original question. However, I asked a supplementary to question 3 on the promotion of Northern Ireland in the United States, and not only did you rule me out of order, but you did not call the deputy First Minister to respond. On another supplementary question later, you again acted out of step.

As a Member of this House, I am entitled to be treated in the same way as every other Member. More importantly, the people who elected me to represent them are entitled to fair treatment. I want your comments on that, Mr Speaker.

Mr Speaker: I hope that I am fair to Members on all sides of the House, during what are sometimes difficult debates, and that I have demonstrated that many times. When I called Mr Kennedy, I was conscious of his position as Chairperson of the Committee for the Office of the First Minister and deputy First Minister. Also, his question related to engagements of the First Minister and deputy First Minister, which meant that a supplementary question could be wide ranging. As the Member knows, I checked a number of Members from all sides of the House today when their supplementary questions did not relate to the original question. Members can make a judgement on that for themselves.

Mr Gallagher: Further to that point of order, Mr Speaker. I do not want to single out Members but the facts are the facts, and the Hansard report will reflect that Mr Danny Kennedy's question went unchecked by you.

Mr Poots: Further to that point of order, Mr Speaker. Is it in order for the Member to challenge rulings of the Speaker?

Mr Speaker: It is not. I allow as much latitude as possible in particular debates. Question Time can also sometimes be very emotive. When I asked Mr Kennedy to speak, I was conscious of his position as Chairperson of the Committee for the Office of the First Minister and deputy First Minister. I also said, not so long ago, that I am prepared to give Committee Chairpersons some latitude in Question Time. That is exactly what I did today. Given that some Members then decided to ask wide-ranging supplementary questions that did not relate to the original question, I ruled them out of order.

As I said in response to the previous point of order, Members are, once again, coming close to challenging the ruling of the Chair.

I remind Members once again that I hope to be fair, as far as possible, in keeping order in the House. That

is vitally important, particularly during emotive debates or Question Time. I get complaints from all sides of the House about supplementary questions, and I am happy to listen to those, but I hope that the Member understands my point of view.

Mr Gallagher: Will you read the Hansard report of the proceedings and reflect on that?

Mr Speaker: That is always done. I am happy to read the Hansard report and reflect on the matter.

Mr Kennedy: On a point of order, Mr Speaker. I confirm that, after my initial supplementary question to the deputy First Minister, the Speaker issued a caution to me in respect of its relevance. I felt that my supplementary question was relevant because of the way in which the original question, which concerned current events that involve the deputy First Minister, was posed. However, I am happy to confirm that later in the proceedings, the Speaker very wisely warned me — almost issuing a yellow card — about a supplementary question that I attempted to ask the Minister of the Environment. I am satisfied, Mr Speaker, that you act fairly and properly.

Mr Speaker: The House has heard what the Member has said.

PRIVATE MEMBERS' BUSINESS

Abortion

Debate resumed on amendment to motion:

That this Assembly opposes the introduction of the proposed guidelines on the termination of pregnancy in Northern Ireland; believes that the guidelines are flawed; and calls on the Minister of Health, Social Services and Public Safety to abandon any attempt to make abortion more widely available in Northern Ireland. — [*Mr Donaldson, Mrs I Robinson.*]

Which amendment was:

Leave out all after “Assembly” and insert:

“calls on the Minister of Health, Social Services and Public Safety, following consultation with the Committee for Health, Social Services and Public Safety, to bring forward guidelines on the lawful termination of pregnancy, as defined by the Offences Against the Person Act 1861, the Criminal Justice Act (Northern Ireland) 1945, and the Bourne Judgment case law, and in accordance with the ruling of the Courts.” — [*Mr McCallister, Mr Kennedy.*]

Mr Buchanan: I rise to support the motion and to be a voice for the unborn child.

To many, 25 October 1967 passed into history without any special significance, and yet, to one section of our population, that date would have the most devastating consequences. On that day, 40 years ago, the Parliament at Westminster passed what was to become known as the Abortion Act 1967 — a most ungodly Act that legislated for the murder of the unborn child.

Under that legislation, it became legal for pregnant women to have an abortion, which has become an everyday occurrence in the United Kingdom. Many who opposed that ungodly Act were told that abortion could take place only in certain circumstances and within strict guidelines, which were: in cases in which the physical or mental health of the mother would be placed in great danger if she were to continue the pregnancy; in cases in which the physical or mental health of her existing children would be placed in greater danger if she were to continue with the pregnancy; or in cases in which there was a risk of serious abnormality in the child. It was claimed that those safeguards would prevent abortion becoming widespread.

Many believed those carefully worded assurances, but it soon became clear that the Abortion Act 1967, amended by the Human Fertilisation and Embryology Act 1990, permitted abortion on demand. If any one of the aforementioned reasons were cited and accepted by two doctors, there was nothing to prevent a mother from legally ending the life of her unborn child.

Although that law was passed at Westminster, we give thanks to almighty God that, thus far, this Province has been spared from becoming home to such ungodly legislation, which legitimises the murder of the unborn child, on demand.

There is a strong pro-abortion voice from women's rights organisations and various other groups and individuals, which is asking that legislation be standardised so that abortion can be carried out locally. However, the fundamental right of the unborn child must be established. It is important to note that the child in a mother's womb is a real and distinct person. Pro-abortionists describe the unborn child in the early stages of pregnancy as a foetus, an embryo, a collection of cells, the potential for life, or mere human tissue in their attempts to dehumanise the child and reduce it to the status of a removed tonsil or a discarded fingernail. Therefore, it is important to establish where, and when, the life of the child begins. That is not when the child is born, or when it reaches a certain stage in the mother's womb, or even at the point of implantation. Life commences at conception, and it is at that point that the child becomes a real person.

I want to lay some facts before the House. At day 20 the child's brain, spinal cord and nervous system are established; at day 21 the heart begins to beat; at day 28 the baby's limbs begin to show and backbone and muscles begin to form; at five to six weeks the baby's fingers are discerning, its eyes begin to darken and the brainwaves can be detected and recorded; at six to eight weeks, although only one inch in length, the baby's brain begins to control the movements of the muscles, the jaw is already formed, tooth buds are in place, the stomach produces digestive juices and the kidneys begin to function. That all happens at two months into the pregnancy.

At nine to 13 weeks the baby can respond to touch. It can swallow, squint and wrinkle its forehead. At the end of 16 weeks it has grown to eight to 10 inches in length, the ears are formed, and it is believed that the child can hear its mother's voice, its own heartbeat and external noises.

With such facts — and more could be produced if time permitted — no one can claim that the baby in the womb is not a distinct person full of life. While various medical terms are used as a cloak in an attempt to justify abortion, the facts remain that 600 unborn children across the United Kingdom's hospitals are being slaughtered daily. Virtually none of those abortions are performed on women who become pregnant through rape or incest, or because the babies are unhealthy or handicapped or because those pregnancies may cause a threat to the life or health of the mother.

During the course of this one-and-a-half-hour debate, 70 to 80 unborn children will have been murdered through abortion. The methods of abortion are often horrific, with up to 80% carried out by suction curettage, which virtually pulls the baby apart limb by limb.

As we look back, we cringe at the number of Jews who were gassed or murdered by Hitler, and rightly so,

yet in today's so-called civilised society, we witnessed 200,000 abortions across the UK last year, which is 600 a week and 50 to 60 children an hour.

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

Mr Buchanan: I support the motion and call on the Minister of Health, Social Services and Public Safety to abandon any attempt to make abortion more widely available in Northern Ireland.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I rise to speak in favour of the motion and the amendment. However, we need clarification on what exactly happens if the motion, on its own, is adopted by the House. It is understandable that people can become emotional when such issues are debated, and the previous Member has done so. The subject of abortion reaches the deepest feelings of people's personal, religious and other beliefs. While I am not sure if a legislating, debating Chamber is the correct venue for some of today's debate, it is understandable that people will use emotive language.

Sinn Féin, despite some propaganda to the contrary, does not support abortion. The simple fact is that it does not support the Abortion Act 1967 being introduced here. The guidelines being discussed today clearly do not have the support and the endorsement of either the House or people in the wider society. In that sense, they are flawed.

However, we are legislators, and we must introduce legislation. It is our duty to ensure that the people we task to carry out work in our public services are protected under the law, regardless of our personal views on the subject. If the motion is agreed today, our medical professionals will be left in limbo. While we do not have the power to annul the draft guidelines, we ask the Minister of Health, Social Services and Public Safety to forget about the guidelines, flawed as they are, and to take no further action.

The amendment calls for further action to be taken through Committee discussions on guidelines as defined by several Acts, which seems a common sense course of action.

I am not an expert on the Offences Against The Person Act 1861, the Criminal Justice Act 1945 or the Bourne judgement case law; therefore, further discussion will be necessary in the Committee. That is not the fault of the amendment's proposers — it is the way the system works and is something that the Speaker is examining as he considers how the House formulates its business.

4.15pm

Setting emotion to one side, what do we do if we pass this motion today? The proposers of the motion must clarify the Assembly's next course of action. The buck stops here — if not today, in several months or in

a year's time. Members will be required to legislate, based on the guidelines that relate to the termination of pregnancies.

The Chairperson of the Committee for Health, Social Services and Public Safety, Mrs Iris Robinson, outlined her understanding of situations in which terminations took place in the past. The reasons for a termination — if there are any — are disputed. Members are not medical professionals; medical professionals carry out medical tasks in the remit of the law, which we will set. We have a duty to those medical professionals to ensure that they are protected by the law, and we cannot abdicate that responsibility.

The best way forward is to send the matter back to the Committee for Health, Social Services and Public Safety, and for its members, as local legislators and people who know the moods of the communities that they represent, to draw up guidelines to cover legislative restraints in which they might find themselves, whether from national or international laws. That is the task that we must undertake — unpalatable as that may be to some people.

The proposers of the motion must clarify where they believe that this debate will take us and what measures we must next take. The sentiments expressed in the amendment are laudable, and they too call for the involvement of the Health Committee. I await the comments of the Minister of Health, Social Services and Public Safety on the subject.

Members will have to act. Legislators must legislate, and — whether in a month, six months or in two year's time — legislate we must.

Mr Easton: This is a matter of critical importance — literally, a life or death matter. Members are aware that abortion legislation in Northern Ireland is different from that in the rest of the United Kingdom. The Act that permits abortion on demand does not apply here. Abortion must be considered only if the life or health of the mother is in critical danger. A moral, and Christian, principle is embedded in the heart of the vast majority of people in Northern Ireland, who consider a child to be a precious gift from God and believe that every child has a right to life from the moment of conception in the womb. Anyone who has witnessed a perfectly formed child, born prematurely and totally dependent on dedicated doctors and nurses, fighting for its life in an incubator, and who then sees the same child later as a perfectly formed young person, could have no doubt about how precious life is.

We have all seen television pictures of a child growing inside his or her mother's womb. Could anyone who has watched such pictures conclude that that was anything less than a functioning person, growing and maturing, physically and mentally? What we witnessed is the miracle of creation, and we have no right to

interfere by terminating that process — except in exceptional circumstances.

The guidelines that we debate are the result of a determined, and highly organised, campaign by the Family Planning Association, which supports abortion on the grounds that every woman has the right to end an unwanted pregnancy. They are the opening shots in a campaign to make abortion on demand freely available in the Province. The people who legislated in the past — in this Building — resisted such a situation, and it is incumbent on us to resist again. Any legislative body that endorses and provides for abortion on demand has totally lost its way.

The Family Planning Association believes that every woman has the right to end an unwanted pregnancy. That is a coded message, which means that every woman, for whatever reason, has the right to take the life of an unborn child. A pregnancy might not be ended because the life or health of the mother was in danger; rather, continuing with the pregnancy would be socially inconvenient. If Members want to develop a just and moral society, we must be concerned about the justice that we administer to children in the womb.

We are here to speak on behalf of those who are unable to speak for themselves, and we are here to represent every child's right to life. It is terrible to contemplate how many abortions have been carried out in the United Kingdom since 1967.

A living, breathing child in the womb might one day change the course of history; win a Nobel Prize for literature; become a world leader, doctor, teacher, sports star, or a Minister in the Assembly. Perhaps he or she might live in relative obscurity and be content to be a good father, mother or friend to someone.

Mr Poots: I thank the Member for giving way. I speak as someone who has a close family member with a disability. Will the Member agree that those who support abortion on the basis of a child being born with a deformity are devaluing that child before it is born? Will he also agree that — given that almost seven million children have been aborted since the 1967 Act was passed and that almost two million have been terminated since the House last debated the issue — future generations will look back on this period in the way that we look back on the period when children were used to clean chimneys and people were kept as slaves?

Mr Easton: I thank my honourable friend for those comments, and I fully support his views.

We are here to defend every child's right to life, and I call on the Assembly to oppose the introduction of the guidelines on the termination of pregnancies. They are flawed, and they will damage and undermine the moral framework of our society. I call on the Minister of Health, Social Services and Public Safety to abandon

any attempt to make abortion more widely available in Northern Ireland.

Mr B McCrea: Everyone in the Chamber would agree that abortion, and anything to do with it, is a tragedy. My party's purpose in tabling the amendment was in no way to engage in that particular debate, which causes a lot of hurt and concern to many people.

My colleague who proposed the amendment overgenerously allowed many interruptions to his speech in order to try and assure Members that our amendment was well-meaning. However, I must address a couple of questions that were asked. The Rt Hon Jeffrey Donaldson asked what was wrong with the original motion. I will explain, because Members talked about correct language and terminology. The motion reads:

"That this Assembly opposes the introduction of the proposed guidelines".

The problem is that that wording could imply that the Assembly is opposed to any guidelines — although I have heard different views. It could, through the way it has been drafted — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr B McCrea: I am attempting to explain how we view the issue. I have heard several interesting interventions. I commend Mr O'Dowd on his speech and how he put forward his case. The question is what will happen if we vote in favour of the motion? The simple fact is that the Minister is required to produce a set of guidelines. He must do so, or he will fail in his ministerial responsibility: it is a legal imperative.

The amendment seeks to set out a way in which consultation can be undertaken. I understand that some Members would say that we ought to carry out better, or wider, consultation. However, the real issue is that the point of the amendment is to set out, first, that it is right and proper to ask the Health Committee to consider draft proposals — and I know that its Chairperson proposed the motion. Secondly, the amendment calls on the Minister and the Committee to take on board the legal requirements as they stand. Those requirements have been cited in the amendment, and I am assured that they are correct. The Assembly might want to overturn those laws, but that is an issue for Westminster, and there are Westminster MPs in this House who can go and do that.

I pay tribute to Mrs Long who said that if the Assembly wanted to discuss the 1967 Act, Members should have framed a motion in such terms.

This debate is not about the Abortion Act 1967 — that Act does not apply in Northern Ireland. The motion is about ensuring that the Minister of Health, Social Services and Public Safety can meet his legal obligations and his ministerial responsibility.

Mr Wells: The honourable Member has missed, to some degree, the whole point of the motion. The motion deals not only with the regulations but is clear and unambiguous in calling on the Assembly to oppose any further liberalisation of abortion in Northern Ireland. If the amendment is supported, that part of the motion completely falls, and we will fail to send the clear message to Westminster that the people of Northern Ireland do not want the liberalisation of abortion in Northern Ireland in any shape or form.

Mr B McCrea: I thank the Member for trying to explain the motion to me. I assure him that I did not miss the point. My point is that the amendment was tabled because the motion has led to the wrong debate at the wrong time.

The legal position needs to be sorted out. I am sure that the Minister will speak for himself, but I am happy to debate, at any time, the 1967 Act. Everyone that I have heard speaking during this debate has said that they are not in favour or anything like in favour of extending the Act. However, we need to follow proper procedure. What is the right way in which to do that? It is absolutely right for draft proposals to be brought to the Committee for Health, Social Services and Public Safety, that the Committee can oversee those proposals and that, if necessary, those proposals can be brought back to the House for a full debate.

If, and when, it is appropriate for Members to discuss those issues further — whether that discussion be to extend the 1967 Act to Northern Ireland, to introduce something in its place or to reduce its powers — it should take the form of a proper debate at a time when the Assembly has the appropriate responsibilities.

I believe that we would be unanimous in saying that people want to see a fall in the number of abortions. However, will there ever be a time when there will be no abortions? Abortion in Northern Ireland is illegal except in cases in which it is necessary in order to save the life of the mother or in which continuation of the pregnancy involves the risk of serious injury. That is the law. Whether it is right or wrong, it is the law.

The amendment is an attempt to ensure that, as a first step, there is a proper basis on which to ensure that those professionals who must carry out abortions are in a position to do so legally. It was read out —

Mr Speaker: The Member's time is up.

Mr P Ramsey: I support the motion but not the amendment. For clarification, the text of the amendment is far too narrow. It makes no reference to the flawed guidelines that were being presented or to a wider extensive consultation that will be required to obtain facts on the abortion debate.

Members have talked about being pro-life, but I would not like to hear some of them talk about being against

life — that comment is directed at John O'Dowd. I do not understand why he said that he was supporting the motion, only for him to talk against it for five minutes.

For the vast majority of people in Northern Ireland, this is the most important debate that is taking place in Northern Ireland at present. I preface my remarks by saying that the SDLP acknowledges the sensitivity of the issue. We are aware that there are many women who have had pregnancies terminated for many reasons. Many of those women are still grieving, and many still question the decisions that they made. It is important to say that we are not here to judge or condemn. In fact, quite the opposite is true, because it is our job to ensure that women who find themselves in that position have help available to them. Groups and agencies that are set up to give support must be given adequate resources to do that particular job.

It is also important to acknowledge honestly that people hold spiritual and religious views on the issue. There is no doubt that many of us have religious beliefs and that our religious backgrounds influence our social thinking and actions.

Mr Shannon: Does the Member agree that a basic human right is that the strong must protect the weak and the vulnerable, and, in this case, the unborn? Does the Member also agree that the pro-abortion myths should be discarded and that the anti-abortion reality should be taken on board?

4.30 pm

Mr P Ramsey: I agree. Anyone who saw the 'Dispatches' programme on Channel 4 last week would have been appalled. If any part of that liberalisation were brought into Northern Ireland, people would be appalled by it.

For me, as a Christian, the God that I believe in has hopes and a plan for each of us. He loves and values all of us equally, from the moment of conception and right through our lives. We are in the business of upholding — as Jim said — and enabling human rights.

The SDLP position is based on human rights criteria, and the fundamental human right to life clearly takes precedence over all other rights. The SDLP is for the right to live; therefore, it is opposed to any extension of direct termination of pregnancy in Northern Ireland. That opposition is based firmly on the unarguable case that, from the point of conception, the child is a human being, and is therefore entitled to human rights. For that reason we are opposed to any extension of the Abortion Act 1967 to Northern Ireland. We are also clearly opposed to any liberal interpretation of the law on the matter. That is a point that Members who support the amendment do not understand.

In England and Wales, according to National Health Service figures, there were 193,700 abortions and over

650,000 live births in 2006. In other words, for every three live births, there was one abortion. We lose one child in four as a result of abortions in Britain. Most people in Northern Ireland find those figures appalling; however, they indicate clearly the consequences of liberalisation in practice or attitudes.

I want to talk specifically about the draft guidelines. The SDLP asserts that the medical profession should have a clear working policy based on the law on termination of pregnancy. However, there is ambiguity in the guidelines. The SDLP is deeply concerned that there are any circumstances, other than where extreme medical circumstances leave the mother and medical profession with no other reasonable choice, in which the life of an unborn child can be terminated.

The SDLP is very concerned that the draft guidelines do not adequately clarify the legal position for medical practitioners in a number of areas. For example, in paragraph 2.9, there is a basic legal mistake with reference to when the baby is capable of being born. That section is highly ambiguous and legalistic and does not clarify the position in practical terms but is actually misleading and dangerous to babies. While the child's right to life is implicit in that paragraph, it is not explicit, and it should be. The Department of Health should have been able to produce a clear guideline — a clear policy statement — thoroughly tested against human rights criteria that recognise equally the lives of the child and the mother.

The SDLP has other concerns in relation to the position of young people, where a court may make a decision that a termination of pregnancy should be carried out against the wishes of the young person. That is stated at paragraph 2.13 of the guidelines. Where are the rights of young girls considered there?

I call on the Department of Health to reinvestigate the matter. As Mrs Hanna said earlier, it is necessary to start the process again. The courts asked for guidelines, but these draft guidelines are clearly flawed. Some Members made the point that we should let legislators draft the guidelines. That is why I am standing here today, as a legislator, trying to protect the interests of children across the board. A number of organisations — and I say this, Mr Speaker, to the Minister — such as Precious Life and Care, have made serious representations to the Department outlining their concerns about the proposed guidelines. I ask the Minister to confirm that those representations were taken on board in framing the Department's proposed guidelines, and that they will be considered in any future consultation process.

Mr Speaker: I must say to Members that the time for this debate is almost up. However, given the subject of the debate, it is important that we hear from the last Member who is listed to speak, Dr Deeny.

Dr Deeny: Thank you very much, Mr Speaker. I was getting worried there.

The debate is not about whether Members are pro-choice or pro-life; it is about the draft guidelines. I am here in a personal capacity to give my views as someone who has been a doctor for 27 years. I have witnessed an abortion. I make no apologies for being pro-life; I am a pro-life doctor. Our lives — the lives of mothers and children — are our most precious gift. Thankfully, like most of my doctor colleagues in the North, I am totally opposed to the introduction of the Abortion Act 1967 to Northern Ireland, or indeed any relaxation of legislation that would make abortion more available.

I mentioned the Abortion Act 1967. People say that the Assembly should not oppose relaxation of the legislation. However, I support the motion and reject the amendment because, as a doctor, I believe that the amendment will liberalise the law and will make abortion more likely in Northern Ireland.

Most doctors and, indeed, nurses join their noble professions to save and improve lives, not to take them. Human life must always be given priority and precedence over choice. We hear about pro-choice, which is a misnomer. It is the wrong description, because unborn children are not given a choice. In the medical profession, abortion is referred to as “termination of pregnancy”, which is, perhaps, a more precise term.

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

A mother's life is paramount during pregnancy. As has already been pointed out, current legislation allows an abortion to be carried out when there is a serious threat to a mother's life or, indeed, if there is a 100% certainty that the child will have an abnormality that is incompatible with life. I want to stress that that in no way means a disability: an abortion should never take place when a baby has Down's syndrome, for instance. An example of incompatibility with life is anencephaly, when there is no brain development whatsoever.

Unfortunately, over 20 years ago, I witnessed two maternal deaths. It is a complete and utter disaster and tragedy. At the time, I remember calling it “whole family devastation” because other children were also involved. It was an awful situation. Pro-life doctors place paramount importance on the mother's life. Let that be remembered by those who would accuse us otherwise.

As a doctor, I want to make the point that section 1 of the Abortion Act 1967, which deals with the mother's mental health, has been used to cover a range of problems, including insomnia, anxiety, undue stress, and so on, which account for more than 90% of the reasons that terminations can take place. This afternoon, I read the draft guidelines again. Paragraph 3.6 outlines the reasons that can be given for terminations to be carried

out. I reject them as flawed because they will put doctors in an impossible position. Mr O'Dowd, who is not here at present, quite rightly said that the job of legislators is to protect medical professionals and not to put them in a position in which they are forced to carry out procedures against their will.

The guidelines indicate that the reasons that can be given for terminations include: suicide threats; family history of mental-health problems; personal history of mental-health problems; absence of a support structure in the family or outside of it; and history of mental-health problems with previous pregnancies, such as post-natal depression. I know many women who fall into one of those categories. In future, those reasons could be used to justify the taking of an unborn, helpless life. Those reasons are outlined in the flawed guidelines, which is why I have rejected them.

I am one of many conscientious doctors who do not agree with abortion on demand. We would be put in an impossible position because, if we did not go through with those procedures and adhere to the law of the land, we would be prosecuted. Therefore, as a doctor, I urge the Assembly to reject those guidelines. I have heard that people can get terminations in Northern Ireland depending on where they live. That is illegal. Evidence of that must be sought and the Assembly made aware of it.

Last week's ‘Dispatches’ on Channel 4 has been mentioned. I did not see it, although I know a woman who did. It showed the remnants of an abortion. I challenge the media to show an abortion on television to let the pro-choice people and everyone else see how horrific it is. They will see that it is a procedure that should never be allowed to happen in our society.

I support the motion and reject the amendment because I believe that the guidelines will bring us closer to the day when that awful procedure will be allowed in Northern Ireland.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): It is clear that abortion is an issue that inspires a range of emotions and strongly held views. There are many interested groups and members of the public who have strong and opposing opinions on the emotive subject of abortion. At the outset, let me make it clear that I will not change, or do not propose to change, the law on abortion in Northern Ireland — nor could I, even if I wished to. The purpose of the guidance is not to make it easier or more difficult to obtain an abortion in Northern Ireland; the reason for producing the guidance is to clarify the existing law on abortion and to provide clinical and good practice guidance to health professionals. Those are actions that my Department has been directed to take by the Court of Appeal.

Application of the guidance, when it is finalised, will be a matter of informed clinical judgement that will be made by medical professionals. The Abortion Act 1967, as amended by the Human Fertilisation and Embryology Act 1990, constitutes abortion law in Great Britain. That has never been extended to Northern Ireland and does not apply here. Abortion law in Northern Ireland is contained in the Offences Against the Person Act 1861, the Criminal Justice Act (Northern Ireland) 1945, the Bourne judgement of 1939 and subsequent case law.

The Bourne judgement is one of the key legal points. In 1938, Dr Alex Bourne, a London gynaecologist, tested the existing law in order to clarify the circumstances in which abortions may be carried out. He was charged under the Offences Against the Person Act 1861 of unlawfully carrying out an abortion on a 14-year-old girl who had been raped by a group of soldiers. The Bourne judgement — given in a lower court and never challenged before higher courts — confirmed that under common law it had always been the case that an abortion that had been carried out in good faith for the purpose of preserving the life of the mother did not constitute an offence.

It was also established in case law that abortion was not an offence if carried out in good faith to prevent the risk of serious damage to the mother's physical or mental health. The proposed guidance does not change any of that. It is in no way an attempt to introduce the provisions of the Abortion Act 1967 to Northern Ireland by the back door. Let me also make it clear that, under the law of Northern Ireland, abortion is permitted only where it is necessary in order to save the life of the mother or where continuation of the pregnancy would involve the risk of real and serious injury to her physical or mental health, which would be permanent or long term. Those grounds are narrower than those that exist in the rest of the United Kingdom under the Abortion Act 1967. As a result of that, unlike the rest of the UK, abortion in Northern Ireland is a relatively uncommon occurrence.

In 2005–06, the last year for which figures are available, 80 medical abortions were carried out in Northern Ireland. In each of those cases, the law requires the decision to carry out an abortion to be a matter of clinical judgement by medical professionals. In 2006, 1,300 Northern Irish women are recorded as having travelled to Great Britain to undergo an abortion. That year, the number of abortion procedures carried out for women resident in England and Wales was 193,700.

Let me also make it clear that there is no question of my bringing about a situation where abortion is available on demand in Northern Ireland. It is important that Members bear in mind the fact that abortion law falls within the category of criminal law and is a reserved matter. Abortion law is an issue for MPs at Westminster

and not one for the Assembly. It is for Parliament at Westminster to legislate on. The Northern Ireland Assembly can only legislate on abortion law with the consent and approval of the Secretary of State for Northern Ireland, Shaun Woodward.

During the passage of the Northern Ireland Act 1998, the Government gave assurances that there would be no change to abortion law in Northern Ireland without the consent of the main parties. More recently, in a parliamentary answer in July 2007, Paul Goggins MP, Minister of State for Northern Ireland, gave the commitment that the Government have no plans to amend the law on abortion in Northern Ireland.

4.45 pm

There appears to some confusion about where we stand in respect of the guidance and how it was arrived at. I would like to clear that up. The background to the development of the guidance is that, in 2001, the Family Planning Association instigated a judicial review that sought to have the Department issue guidance about the circumstances in which abortion provision may be obtained in Northern Ireland and to investigate the alleged difficulties in obtaining services for the termination of pregnancy.

First, in November 2004, the Court of Appeal ruled that it required my Department to consider what steps it should take to inquire into the adequacy of termination of pregnancy services in Northern Ireland, including aftercare. The Court of Appeal further required that, following such an inquiry and after appropriate consultation with concerned organisations, my Department should issue appropriate guidance.

The next step, following a clear instruction from the court, was for my Department to set up a group, chaired by the Chief Medical Officer, to take that matter forward. A wide range of professional advice was sought. There was a consensus that guidance should be produced for clinicians and GPs that should cover issues such as: clarification of the legal opinion; conscientious objection; informed consent; standardisation of pre-abortion and post-abortion care across Northern Ireland; counselling services; and good clinical practice.

The third stage was the development of draft guidance, with input from a wide range of health professionals, including obstetricians, psychiatrists, midwives, GPs and legal advisers. As I have already stressed, the purpose of the guidance is to clarify the existing law on abortion in Northern Ireland, and to provide guidance on good clinical practice.

Mrs I Robinson: Will the Member give way?

Mr McGimpsey: No. I am reading a statement — it is an important statement, and I want to read it straight through.

The fourth stage was to issue draft guidance to interested parties on 9 January this year, for comment by 20 April. Officials from my Department met and received written responses from groups and individuals representing a wide range of opinions and positions, including pro-life and pro-choice groups, religious organisations and medical professionals. Among the issues raised in the responses were: the interpretation of current law and legal principles; provision of information for women; clinical assessment, particularly in respect of mental health; conscientious objection by health professionals; consent and confidentiality arrangements for minors; and information on referral procedures and access services.

We all know that the range of opinion on this matter is wide and varied. It is an issue that has been the subject of heated and lengthy debate for many years. It is an issue of the utmost seriousness — indeed, it is too serious an issue with which to play party politics. I want to ensure that the matters raised are given the most careful and balanced consideration. The Court of Appeal's direction to produce guidance gave us an opportunity to at least provide some clarity for those people, including women and clinicians, who have to deal with this issue on a personal level. Indeed, many clinicians have welcomed the move to provide a clear framework within which they have to take those most difficult decisions.

I have therefore asked the Chief Medical Officer to convene and chair a departmental group — which will include the relevant professional and legal advisers — to consider the way forward, taking into account the responses to the draft guidance. That group will have completed its deliberations and developed further drafts in the first half of 2008, which will form the basis for the next stage. Responses from interested groups and individuals will be sought before the redrafted guidance is put to the Assembly Committee for Health, Social Services and Public Safety. The Committee will have an opportunity to scrutinise the draft guidance and make its views known before final adoption. My point is that the guidance as it currently stands is very much a work in progress.

Again, it is important to stress that there has been no change, nor is there any proposed change, to the law on abortion in Northern Ireland. When we produce finalised guidance, it will simply restate the existing law and also provide clinical and good-practice guidance for health professionals.

It is to be hoped that the guidance will provide clear directions for clinicians who are faced with requests for abortions.

Mr Kennedy: Members on all sides of the House have clearly expressed their opposition to any extension of the Abortion Act 1967. I welcome that because it

concur with my own strongly held personal views. I also welcome the clarity of the Minister's statement. I hope that all Members heard it and listened attentively to the important points that were raised.

In moving the amendment, my honourable friend Mr McCallister drew attention to the 8 October 2004 judgement of Lord Justice Nicholson. Lord Justice Nicholson said:

"This case does not involve an attempt to liberalise the law on abortion. It is no part of the court's function to lend itself to such an attempt. The Westminster Parliament or the Northern Ireland Assembly is the proper forum for any debate on abortion. The available evidence supports the view that the vast majority of people in Northern Ireland do not wish to have the Abortion Act 1967 which applies in Great Britain to be extended to Northern Ireland."

I strongly agree with those sentiments. It is abundantly clear that when instructing the Minister and Department to issue guidelines on the lawful termination of pregnancy, the court did not regard itself, in any shape or form, as allowing an attempt via an administrative decree to undermine Northern Ireland's law on abortion. As the amendment makes clear, the guidelines must — and I emphasise the word "must" — be consistent with the existing legal position on abortion. If that were not the case, I could not support the amendment. If, in a fit of unwarranted judicial activism, the court had given carte blanche to the Minister and the Department:

"to make abortion more widely available in Northern Ireland."

by means of guidelines, I would speak against their introduction. I say that as a strong opponent of any attempt to extend the Abortion Act 1967 to Northern Ireland.

The amendment explicitly reaffirms the existing abortion law in Northern Ireland. It states, as did the court, that the guidelines must be consistent with the existing law. In my view, therefore, it opposes any attempt to use the guidelines as a means of bypassing or undermining the existing law. As my honourable friend Mr McCallister said, the amendment is about the rule of law. That requires the Minister and his Department to issue guidelines on the lawful termination of pregnancy.

The court's intention in instructing the Minister and the Department to issue guidelines was not to make abortion more widely available in Northern Ireland. In fact, the opposite is explicitly the case. I respectfully draw that to the Minister's attention; I know that he has already given due regard to that aspect of the court's judgement. It is right that we approach the guidelines with the determination that the law in Northern Ireland should not be undermined. The purpose of the amendment, in reasserting the legal position of abortion in Northern Ireland, is to ensure that no such slippage occurs in this jurisdiction.

The debate has provided us with a good opportunity to examine the issue. The texts of the motion and the

amendment have clouded the overall issue slightly, but it is abundantly clear that there is no support for any extension of the Abortion Act 1967. That is very welcome.

I am aware of the existence of the new pro-life group in the Assembly. Perhaps it will have an early opportunity to bring forward a suitable motion on a cross-party basis that the Ulster Unionist Party can give unanimous support to.

Mr Donaldson: I thank all of the Members who participated in the debate, which has been measured and considered. Clearly, there are strongly held views on abortion, and it was right that the motion was brought forward at this time. I apologise that I had to be temporarily absent from the Chamber for a short time and that I missed some of the comments that were made by other Members.

It is clear that there is strong public opposition to the draft guidelines in their current form and to any move to liberalise the law on abortion in Northern Ireland. That is also the clear view across the Chamber. However, the purpose of the motion is twofold. First, it is to establish that the guidelines, as currently drafted, are fundamentally flawed. Secondly, it is to send out a clear message to the Parliament at Westminster that the Assembly opposes any attempt to liberalise the law on abortion in Northern Ireland.

I have listened carefully to the points made on the amendment by Members from the Ulster Unionist Party John McCallister, Basil McCrea and Danny Kennedy, and by the Minister of Health, Social Services and Public Safety. However, the amendment does not reject the current draft guidelines as the basis for further consultation. In fact, the Minister intends to take the guidelines in their current form as the basis for going forward to the Health Committee.

I cannot recommend such a course of action when I have two legal opinions stating that the guidelines, in their current form, are deeply flawed. Therefore, before the Minister brings forward any further proposals to the Health Committee, he must go back to the drawing board on the draft guidelines.

There is clearly a problem. If Sinn Féin is going to support the amendment, then that party must be clear that the amendment does not reject the draft guidelines in their current form. More than 100,000 people in Northern Ireland have lodged their objection to the proposed draft guidelines in a petition, and there are legal concerns about the draft guidelines themselves.

Mr McGimpsey: In my speech, I made the point that the draft guidelines are work in progress and are being reviewed by the Chief Medical Officer and a group in the Department. When they have completed their deliberations, they will develop further draft guidance in the first half of 2008. That draft guidance

will go out for consultation, and the results of that consultation will go to the Assembly Committee.

Mr Donaldson: I thank the Minister for that clarification. In those circumstances, why on earth is the Ulster Unionist Party bringing forward an amendment when the motion does nothing to prevent the Minister from doing precisely what he has said he will do?

Mr O'Dowd: The Member appears to be suggesting that we go back to the Health Committee with a blank piece of paper. If that is not the case, then what is he suggesting? Is the Health Committee to be involved in the process? This is important to Sinn Féin. Local people and local legislators should be involved in drawing up the guidelines. If that is what the Member is suggesting, then Sinn Féin is more than happy to support the motion.

Mr Donaldson: The motion does not prevent the Minister from bringing forward new proposals to the Health Committee. The current proposals are fundamentally flawed and should not be the basis for further consultation. Unfortunately, the amendment does not make that clear. It fails to clarify that position, which is why I cannot support it. I urge Members opposite to bear that in mind when deciding how they vote.

5.00 pm

The motion does not prevent the Minister or the Committee for Health, Social Services and Public Safety from examining the issue. The DUP's view is that what is on the table now is fundamentally flawed.

My second point, which I direct particularly to the Member for Lagan Valley Mr Basil McCrea, relates to the timing of today's motion: at this precise moment, a House of Commons Committee is debating the draft human tissue and embryology Bill. As it deliberates, a Liberal Democrat MP Dr Evan Harris proposes to table an amendment, the effect of which would be to extend the Abortion Act 1967 to Northern Ireland. Therefore, what better time than now for the Assembly to send a clear signal that it is not in favour of liberalising the law on abortion?

Some Members: Hear, hear.

Mr Donaldson: The Assembly is not in favour of extending the Abortion Act 1967 to Northern Ireland, and the amendment fails to send any such message to the national Parliament. The DUP cannot accept the amendment, because it does not send out the signal that local legislators should deal with abortion. As the Secretary of State has said, it would be wrong for Parliament to legislate without the consent of the Assembly. Today, the Assembly must put down a clear marker on its position: that is precisely what the motion does and precisely what the amendment fails to do.

I thank the Member for Foyle Mr Pat Ramsey, who is the vice chairman of the all-party pro-life group, for

his excellent contribution to the debate. I thank the SDLP for its support of the motion, which is much appreciated, because it proves that the issue transcends political and religious beliefs in Northern Ireland and that there is cross-party and cross-community support for the Assembly's stance today.

I commend the Member for West Tyrone Dr Deeny for his excellent exposition, from a medical perspective, on the guidelines. He outlined why it is important that the Assembly approves the motion and not the amendment: the motion seeks to ensure that the medical profession receives the correct guidance that is truly within the current law. In contrast, should the Department proceed with the draft guidelines, they would go beyond the current law.

I could talk at length about the flaws in the guidelines, but I will mention only a couple. Members have been told that the guidelines attempt to clarify the existing law but, as currently drafted, they do not even get the basic law right. The second part of the statute, section 25 of the Criminal Justice Act (Northern Ireland) 1945, which deals with child destruction, is completely omitted from the guidelines. It is unlawful for a medical practitioner, in certain circumstances:

“to destroy the life of a child”.

Yet the guidelines offer no guidance to medical practitioners on the consequences of that Act.

Mr Shannon: A few years ago, 194,000 unborn children were murdered across the water, and only 1% of those deaths resulted from emergency operations. Will the Member and the Assembly agree that it is not a figure that we want to be emulated here?

Mr Donaldson: I thank the Member for his contribution, and I agree entirely with him. I draw the attention of the House to the fact that the draft guidelines, and particularly the clinical guidelines at annex C, are those issued for England and Wales by the Royal College of Gynaecology. If there is not an agenda to extend the availability of abortion in Northern Ireland and the 1967 Act is not supposed to apply here, will someone explain to me why the draft clinical guidelines that apply to the Act in England and Wales are simply being imported into the guidelines in Northern Ireland? That is why the draft guidelines are fundamentally flawed, and the amendment fails to recognise that.

Mrs I Robinson: Will the Member agree that the Assembly should have access to the results of post-mortems that are carried out in Northern Ireland on the basis of foetal abnormality? Should Members not have a definition of foetal abnormality?

Mr Donaldson: The Member for Strangford is absolutely right, and the guidelines are flawed in that respect too. The Assembly has a duty to protect the right to life, which must include the rights of the unborn

child. The amendment fails to reject the current deeply flawed guidelines.

Mr Durkan: Does the Rt Hon Member recognise that none of those Members who spoke in favour of the amendment recognised or conceded any of the flaws that other Members had identified in the guidelines? Members who are content with the guidelines will vote in favour of the amendment, but anyone who has any reservations about them should not vote in favour of it.

Mr Donaldson: I thank the honourable Member for that contribution. He is absolutely right, and that is why we cannot accept the amendment. It does not address the flaws in the draft guidelines. The motion that is before us —

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

Mr Donaldson: The motion standing in my name and in that of my honourable friend Iris Robinson recognises that the guidelines are flawed and that we must go back to the drawing board. It also recognises that we need to send out a clear signal to Westminster that we are not in favour of liberalising the law in Northern Ireland. The amendment fails to send out that clear signal, but the motion succeeds in doing so. Therefore, I ask Members to support the motion.

Some Members: Hear, hear.

Question, That the amendment be made, put and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly opposes the introduction of the proposed guidelines on the termination of pregnancy in Northern Ireland; believes that the guidelines are flawed; and calls on the Minister of Health, Social Services and Public Safety to abandon any attempt to make abortion more widely available in Northern Ireland.

Abolition of the Agricultural Wages Board

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

Mr Elliott: I beg to move

That this Assembly calls on the Minister of Agriculture and Rural Development to bring forward the required legislation to abolish the Agricultural Wages Board.

This motion never should have been brought to the House, and I am disappointed that we must debate it today. In early 2006, the Secretary of State agreed to abolish the Agricultural Wages Board (AWB), only then to overturn his decision almost immediately. The issue has been around for some time.

The success and profitability of the agriculture sector reverberates throughout rural communities and throughout the entire Northern Ireland economy. Red tape in the agrifood sector has been well highlighted by the Ulster Farmers' Union campaign. It has run a high-profile, high-impact campaign, which calls on the Government to abolish the Agricultural Wages Board. The issue predates the restoration of the Assembly in May. We debated the issue earlier in the year before the restoration of devolution, and representatives from all parties spoke in that debate.

The Ulster Farmers' Union met all parties, and it was keen to progress the issue of reducing red tape and bureaucracy in the agriculture sector. The abolition of the Agricultural Wages Board was one of five recommendations that all parties at that time supported. The excessive levels of unnecessary bureaucracy in the agriculture sector show little sign of abating, and, frankly, they are unworkable.

I pay tribute to the Minister of Agriculture and Rural Development and her Department, and to the Minister of the Environment, for proposing a review of the red tape that affects Northern Ireland's agriculture sector. The bureaucratic tipping point has been reached in many areas of the sector.

The damage that is being done to the sector far outweighs the benefits. Recently published Government statistics show that the Department of Agriculture and Rural Development issued 18 business surveys last year, at a cost of over £318,000 to farm businesses. Only the Department of Enterprise, Trade and Investment issued more. That £318,000 is probably just the tip of the red-tape iceberg that local farmers have to deal with.

Unnecessary layers of bureaucracy must be pared away to reduce impediments to businesses and, putting it bluntly, to save money. The former Secretary of State's

about-turn on the future of the Agricultural Wages Board does not sit well with his party's pledge to reduce bureaucracy. When that quango was established, it performed the essential task of safeguarding the right of farm workers to a fair wage. It also offered a benchmark for farm owners and managers. However, it is no longer required, and the Government must carry out their original pledge through the Department.

The Agricultural Wages Board in Northern Ireland does not run on its own; it costs a significant amount of money to run. The national minimum wage already protects all workers in Northern Ireland. An Agricultural Wages Board grade 1 wage, which is paid for an employee's first year in agriculture employment, is equivalent to the national minimum wage.

Red tape, bureaucracy, equality and discrimination are all words frequently heard in Government and, quite often, in this Chamber. Why should the agriculture industry and agriculture employers be treated differently to any other industry? No other industry has a wages board; every other industry relies on the national minimum wage. I have heard that the Agricultural Wages Board exists to protect people from ethnic minorities who work in the agriculture industry. Why is there no protection for those groups in the education sector, the Health Service, the construction industry, the engineering industry, restaurants and supermarkets? Why is there not similar protection in those industries, if that is what this is about? I do not believe that it is. The Agricultural Wages Board is just another layer of bureaucracy. Again, I emphasise that agriculture employers are being discriminated against by the Agricultural Wages Board. If that is the case, let us cut it out because there is no need for it. It is another part of bureaucracy in Northern Ireland that costs money.

I have not brought this issue to the House to have a bash at the Minister. However, on 8 January in this Chamber, Ms Gildernew, who was not the Minister at the time, said:

"Without a local Minister in charge, and without the Assembly and its scrutiny Committee in place, DARD is not fully accountable. The result of that is that farmers are being short-changed ... All parties have voiced widespread concerns in the debate about the way in which DARD operates. Its methods have caused unnecessary hardship. The culture of red-tape bureaucracy and the lack of support and flexibility offered to farmers are the hallmarks of the way in which DARD does business in the North." — [*Official Report, Bound Volume 21, p225, col 2*].

She continued:

"The abolition of the Agricultural Wages Board is also one of the UFU's five priorities. Sinn Féin endorses all five priorities and gives its commitment to champion them." — [*Official Report, Bound Volume 21, p226, col 2*].

She also said:

"We need a local Minister — there is no question about that. Sinn Féin has argued consistently that farmers in the North are not getting a fair deal. The Department has not been their champion. A

local Minister would do a better job than any direct-rule Minister, and, as I have said many times before, it does not matter to which party that Minister belongs.” — [*Official Report, Bound Volume 21, p227, col 1*].

Ms Ruane also spoke in the debate, stating that:

“My party supports the removal of the Agricultural Wages Board (AWB) because, with the introduction of the minimum wage in 1999, the AWB has become yet another layer of unnecessary bureaucracy.” — [*Official Report, Bound Volume 21, p216, col 1*].

All I ask is that that policy from January be adopted, so that we get rid of another layer of bureaucracy and red tape and another quango from the system.

5.15 pm

Mr Deputy Speaker: I remind Members that mobile phones must be switched off completely; otherwise, they interfere with the recording system.

Dr W McCrea: I thank Mr Elliott for placing the item on the agenda for debate, because it is a worthy issue.

There is anger and frustration in the farming community that this matter has not been dealt with effectively and honourably by the Department and by the Minister of Agriculture and Rural Development.

During the transitional Assembly, there was a debate on over-bureaucratic administration in the agriculture industry. I refer Members to the motion that was tabled on Monday 8 January 2007.

The reason for today's debate is that many thousands of farm businesses across the Province are being hampered by numerous tiers of unnecessary bureaucracy, especially at a time when the success and profitability of farms is under tremendous strain. The farming industry is facing major challenges, and the recent 'Northern Ireland Red Meat Industry Task Force: Strategy Review' shows how understandable it is that farmers are angry with the Minister, because she refuses to actively assist them in their plight. I assure the House that the farming community has enough to think about without the constant burden of bureaucracy and form-filling, especially when every word written appears to be nit-picked by a few over-zealous civil servants.

I understand that safeguards and standards must be adhered to, and that the highest level of traceability is essential for the protection of the industry. No one is seeking to remove those relevant and helpful measures, but that cannot be said about the Agricultural Wages Board.

During the debate on 8 January, the Member for Fermanagh and South Tyrone's colleague the Member for South Down Caitríona Ruane said, and I quote:

“The Ulster Farmers' Union's policy document 'Five Steps to a Better Future', puts forward a number of workable and extremely practical measures, that, if implemented, would go some way to addressing the excessive amount of red tape.” — [*Official Report, Bound Volume 21, p215, col 2*].

She went on to say:

“My party supports the removal of the Agricultural Wages Board (AWB) because, with the introduction of the minimum wage in 1999, the AWB has become yet another layer of unnecessary bureaucracy.” — [*Official Report, Bound Volume 21, p216, col 1*].

What does the Department not understand about that clear statement by Caitríona Ruane?

The Minister of Agriculture and Rural Development, speaking as a Member for Fermanagh and South Tyrone at that time, said:

“The abolition of the Agricultural Wages Board is also one of the UFU's five priorities. Sinn Féin endorses all five priorities and gives its commitment to champion them.” — [*Official Report, Bound Volume 21, p226, col 2*].

The Minister now has the audacity to try to remove the commitment to one of the very priorities that she, when she was a Member of the House, said she was going to champion.

She also went on to say that a Minister in Northern Ireland would do a much better job than any direct rule Minister. Let me address that point, because under direct rule, the Secretary of State for Northern Ireland, Peter Hain — whom I certainly have no bouquets for — said on 21 March 2006, during his statement on the review of public administration, that the Agricultural Wages Board would cease to exist.

Therefore, under a direct rule Minister, the Agricultural Wages Board was going; the current Minister told us that the job would be better done by a Minister from Northern Ireland; and we now find that she has turned that decision on its head. I understand the anger of farmers. However, I cannot understand the Minister's blatant refusal to put her own words into action, which is in defiance of the review of public administration recommendation.

The Ulster Farmers' Union has consistently highlighted to all the local political parties the need for the abolition of the Northern Ireland Agricultural Wages Board, and it believed that it had their support.

The Minister's excuse for her somersault is worthy of contempt and proves once again that rather than being the champion of the Northern Ireland farmers and freeing them from the burden of bureaucracy, she has decided to grind the industry into the ground. There is no justification for the Minister's action. She must now change her decision on the Agricultural Wages Board or rest assured that she does not have the confidence of the House. I support the motion.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. The motion has nothing to do with bureaucracy and dealing with red tape, but is a blatant attempt to cut the wages of farm workers in the North, which would, in turn, open the door to more poverty in rural Ireland. Sinn Féin believes that the abolition of the Agricultural Wages Board would lead to further

lower wages and the exploitation of agriculture workers in the North of Ireland, particularly migrant and temporary workers who are used as a source of cheap labour. The abolition of the Agricultural Wages Board would pave the way to make the North the agricultural sweatshop of Western Europe.

I am opposed to any measure to reduce take-home pay and the standard of living for agriculture workers — and all workers — in Ireland. Sinn Féin is opposed to the exploitation of workers, whether they are native, migrant or temporary workers. It is opposed to the North of Ireland becoming the agriculture slavery capital of these islands.

Mr T Clarke: Will the Member give way?

Mr W Clarke: I have only a couple of minutes.

Many of our farm workers are among the lowest paid of the workforce in the North, and it is essential that they have the strongest legal protection.

The biggest challenge for the Minister of Agriculture and Rural Development to tackle is the falling farm-gate prices that make it hard for farmers to improve labour standards while staying in business. We all have a duty to the people who supply our food. The Irish people must be conscious that the food that they choose at the supermarket ultimately affects the lives of farmers and farm workers.

I also believe that we can learn a lesson from the Fairtrade Foundation. We need a similar system in Ireland, where prices for certified products include a social premium that consumers know will go towards improving the welfare, pay and conditions of workers. Farm workers have the right to good working conditions and a living wage. No one in the House could disagree with that statement — I hope not anyway.

The House should be in no doubt that our farming community is under immense pressure, particularly the beef sector, which has been clearly identified in the recent report by the Red Meat Industry Task Force. Farmers are under pressure to cut costs, and the only area where that is possible is in their workforce. The result has been a drastic reduction in the number of permanently employed agriculture workers worldwide, and that creates the perfect conditions for exploitation. It is essential, therefore, that mechanisms are in place to promote the protection of vulnerable sections of our community, particularly migrant labourers and women workers, who continually face lower wages and a reduction in employment.

Although everyone involved in farming wants to see red tape cut, it should not be at the expense of the low paid. Given the remote nature of the agriculture labour force and the strong links between home and job, there must be extra protection. The AWB sets a minimum wage rate for agriculture workers that provides

reasonable earnings for workers, but that is affordable for the industry. The North of Ireland Agricultural Wages Board's rate is lower than that in England, Wales or Scotland.

The abolition of the AWB would ensure that agriculture workers in the North would be at an even greater disadvantage. The current standard rate for the England and Wales AWB is £6 an hour, the standard rate for the Scotland AWB is £5·96 an hour, and the standard rate for the Northern of Ireland AWB is £5·70 an hour. Workers in the agriculture industry could face an 18p an hour cut in their wages if the motion is passed, as the minimum hourly rate for a person over 22 years of age is £5·52.

Agriculture labour has always been hard, dangerous and dirty work, and it remains so in Ireland. The migrant workers who drive the crop sprayers, harvest the vegetables and fruit, pack and process the vegetables and mushrooms, and work in the abattoir slaughter sector, work long and unsocial shifts for very low wages. It is down to us, as elected representatives, to scrutinise the way in which industry deals with the exploitation of migrant workers.

Mr T Clarke: Will the Member give way?

Mr W Clarke: I have only a couple of minutes.

The AWB has set up a new working group to examine issues of the exploitation of migrant workers, particularly excessive rents for overcrowded accommodation. A truly sustainable agriculture industry treats workers with respect, pays them a fair wage and protects them from unnecessary dangers. Go raibh maith agat, a LeasCheann Comhairle.

Mr P J Bradley: I support the motion in the hope that our efforts in the Assembly will reduce the amount of red tape associated with DARD's responsibilities.

Red tape and duplication are bad enough, but, considering that the Agricultural Wages Board is financed by a levy on the farming industry, it is high time to abolish it. Of course, that thinking is not new or unique. On 8 January 2007, when the Transitional Assembly debated the eradication of red tape in DARD, everyone who spoke in the debate agreed to the abolition of the Agricultural Wages Board.

Members have heard from the Chairperson of the Agriculture and Rural Development Committee about the contributions on that day from two members of Sinn Féin. Those contributions are relevant to this debate and are worth repeating. Ms Ruane, a Sinn Féin Member for South Down, said:

“My party supports the removal of the Agricultural Wages Board (AWB) because, with the introduction of the minimum wage in 1999, the AWB has become yet another layer of unnecessary bureaucracy.” — [*Official Report, Bound Volume 21, p216, col 1*].

The Minister, Ms Gildernew, then a private Member of the Assembly, is recorded in the Hansard report as saying:

"The abolition of the Agricultural Wages Board is also one of the UFU's five priorities. Sinn Féin endorses all five priorities and gives its commitment to champion them ... It seems that DARD's policy is 'do as I say, not as I do.'" — [*Official Report, Bound Volume 21, p226, col 2*].

She continued:

"We need a local Minister ... A local Minister would do a better job than any direct-rule Minister." — [*Official Report, Bound Volume 21, p227, col 1*].

That was a mere 10 months ago, and questions must be asked about the Minister's U-turn. Was that a direction from her party, with which, perhaps, she does not agree, or is the withdrawal of her commitment of 8 January 2007 to the Ulster Farmers' Union campaign a decision of her own making?

However, Members must not lose sight of the key issues. Although I generalise, we must consider the worker in the field. Every worker, from unqualified to highly skilled, should be paid an honest and meaningful wage — no ifs or buts: a fair day's pay for a fair day's work. Perhaps highly skilled workers can demand an acceptable income for their labour, but that is not the prerogative of unskilled workers. Fortunately, minimum wage legislation that deals with this issue is in situ.

Anyone who takes an interest in farming knows that farm incomes have been almost non-existent for most of the past decade and that farmers' sons and daughters have moved away from the family farm because it could not give them a decent wage. Most of those people did not even expect the minimum wage.

The poor financial returns that are currently being experienced by farmers — particularly full-time, self-employed farmers — is an issue that, if taken seriously enough by DARD and the Minister, could, one day, see a return to the days in which farmers were only too pleased to share profits with their farm workers.

I repeat my concerns about the additional red tape that surrounds the minimum wage. Surely, in this day and age, it must be possible for the Minister and the Department to compare the two systems and how they apply to the agriculture industry and then report their findings to the House. The Minister should monitor the minimum wage legislation in order to ensure that it is being applied and that rights and privileges are afforded to all workers, indigenous and migratory, in agriculture and all sectors of industry.

I note the Minister's concern that some immigrant workers could be disadvantaged if the Agricultural Wages Board were to be abolished. Will the Minister tell Members about the sector, or sectors, of the agriculture industry that she has identified as blatantly taking advantage of immigrant workers?

Mr Ford: I restate my support for the Ulster Farmers' Union campaign against red tape and, specifically, the five-point plan. If my constituency colleague Dr McCrea had not done so, some of his researchers would have checked what I said during the Transitional Assembly's debates on this matter. Therefore, earlier today, I read my speech and found that, although I supported that plan at that stage, I made no mention of the Agricultural Wages Board. For the majority of farmers, I considered it to be the least important aspect of the five-point plan. Now, for the majority of farmers, there is no question of having employees. As P J Bradley said, the question now is whether there is an option to make a living off the farm for a single family.

Many other aspects of red tape have been highlighted; those bear greater consideration and are more important to the lives of the majority of farming families in Northern Ireland. If Members cannot ensure that individual family farms make a living for a family, there is little point in worrying too much about the minority agriculture employees. That is how the situation has dramatically changed since the establishment of the Agricultural Wages Board.

When the board was established, there was a significant number of employees; many small family farms would have employed one or more people. In those circumstances, individuals would have had few negotiating rights if they were the sole employees of small farm businesses in areas of high unemployment.

5.30 pm

It is understandable why the AWB was established; it was necessary, and it served a valuable purpose. However, not only has agriculture changed, but other circumstances in society changed with the introduction of the minimum wage legislation. Members have established that the minimum wage legislation parallels the AWB. It is completely unnecessary to have a separate layer of bureaucracy to deal with a matter that is dealt with elsewhere in a way that meets the needs of workers in every part of the UK and in every sector of the economy. That is clearly far beyond the remit of the existing operation of the AWB.

I fully support the motion, but I repeat the point that the Minister has more work to do to address the other four points in the UFU's five-point plan. I hope that the Minister, if she is not here to enthusiastically support the motion, will deal with some of the other aspects. People should not have nightmares because of a minor miscalculation, or misplaced decimal point, in field sizes or numbers on their single farm payment claim forms. Such matters cause many problems for people, and the Minister must deal with that. The Agricultural Wages Board is an important issue, but it is not the most important one.

On that basis, I find myself in almost total agreement — possibly unusually — with everything that Mr Elliott, Dr McCrea and Mr PJ Bradley said. I was somewhat amused by Mr Clarke's Marxist analysis of the exploitation of the working classes by the wicked capitalists, because I certainly did not recognise that portrait of farmers in Northern Ireland.

There is undoubtedly a problem in Northern Ireland, as in other parts of these islands, with the exploitation of migrant workers. However, that is not an issue that the Agricultural Wages Board can address effectively, because the problem is that the minimum wage laws are not enforced. The unfair treatment of migrant workers, a minority of whom might be forced to pay ridiculous rents, for example, must be addressed. However, the Agricultural Wages Board is not the place to address such problems. It has not addressed them, so it fulfils no useful function, and it should go.

Mr Bresland: I welcome the opportunity to speak in support of the abolition of the Agricultural Wages Board, as I welcome any opportunity to support the demise of an unaccountable quango. The introduction of the national minimum wage should have effectively abolished the Agricultural Wages Board. Northern Ireland's farmers are being choked by an unacceptable amount of red tape, and the Agricultural Wages Board is another example of such bureaucracy.

Other industries are legally bound to accept the national minimum wage, yet the farming industry in Northern Ireland is further bound by the Agricultural Wages Board. I call upon the Minister to listen to the farming industry and to take proactive measures to cut red tape and bureaucracy.

In seeking to abolish the Agricultural Wages Board, I am not advocating a return to the hiring fairs that operated until the 1940s. However, I am advocating the adoption of the national minimum wage for all workers. Many of my farming constituents in West Tyrone would be only too happy to receive £5.52 an hour for their labours instead of having to sell lambs, suckler calves and beef cattle at early 1980s prices while their input costs continue to rise.

The Northern Ireland farming industry is struggling to adapt, as was clearly shown in the red meat task force's report, which was published earlier this month. The industry faces many challenges ranging from disease control, environmental issues and the dreaded bureaucracy to reduced income and high input costs.

I fully accept that the Department of Agriculture and Rural Development must address many important issues, including nitrates management, the future of the red meat industry, environmental issues, the delivery of the rural development programme and the task of ensuring that Northern Ireland has a sustainable agriculture industry and a vibrant rural community.

The Department of Agriculture and Rural Development must make effective moves to cut red tape for farmers, as advocated by the Ulster Farmers' Union. The demise of the Agricultural Wages Board can play a positive role in that process and in offering farmers the freedom to farm. Farm workers should have nothing to fear from that move, as they have the full protection of the national minimum wage. I support the motion.

Ms Anderson: Ba mhaith liom caint i gcoinne an mholaidh seo. I oppose the motion. At the core of this debate are issues of equality and human rights. I know that the NICEM and the trade union representatives — who have joined us and are seated in the Public Gallery — will agree with that assertion. On behalf of Sinn Féin, I welcome them here today.

Members have a moral and statutory duty to ensure that the needs of the most vulnerable in society are protected.

Mr T Clarke: On a point of order. Is it in order to refer to people sitting in the Public Gallery?

Mr Deputy Speaker: No, it is not. It is not in order to make reference to them, but since it passed, I thought it best to leave it.

Ms Anderson: Go raibh maith agat. That is exactly the role that the Agricultural Wages Board performs. Having examined in greater detail the Board's role, remit, and functions, it is a role that Sinn Féin agrees is required.

There should be no mistake, those who argue for the abolition of the board on the grounds that it is only a further, unnecessary and inconvenient level of bureaucracy do the board a disservice. Despite what Tom Elliott says, abolition is not about inconvenience or bureaucracy; it is about dismantling protection and basic standards for all farmers and agricultural workers.

It has been argued that wages of workers in the agriculture sector are too high in comparison with a small farmer's own weekly wage, which statistics estimate at £88 a week. However, the motion is aimed at dismantling the protections of the vulnerable in society and at lowering the real wages of agricultural workers.

The task of the Assembly is to use the opportunities — now that Ministers at Westminster no longer make the decisions for agriculture — to create the vibrant, agriculture sector in which farmers' incomes are considerably higher.

At last, Members are in the position to give agriculture its central place in the development of the economy. The Sinn Féin Minister of Agriculture and Rural Development, Michelle Gildernew, will work with the Irish people in our common interest to foster and nurture the agriculture sector across Ireland, which has for so long been neglected here in the North —

Mr Ford: Will the Member give way?

Ms Anderson: Suigh síos — under British rule and the cheap food policies of Westminster.

We live in a world of global warming, in which food prices are expected to rise at unprecedented rates. Recent increases in grain prices are indications that those changes have just begun. Members have a responsibility to ensure that those price rises are managed properly and that the benefits do not accrue to middlemen or multi-national wholesalers, but are used —

A Member: Will the Member give way?

Ms Anderson: Suigh síos. Those benefits should be used to ensure that urban dwellers are not faced with huge, unaffordable food price rises, but also to ensure that farmers' incomes rise, and that the conditions of farm workers are improved.

A challenging time lies ahead for the agriculture sector. Members need to manage it — for food producers; consumers; farmers; and agriculture workers — to ensure that everyone gains and that small farmers' weekly incomes are not £88 a week. What use are declarations of minimum wage rates unless there is a means to monitor and oversee conditions in that sector and to ensure that those conditions are observed?

We have heard stories of wives, daughters, and relatives of farmers who tirelessly work long hours without rights and without social protection. They are people who do not even exist in the employment data, or enjoy rights such as pensions, inheritance, healthcare, holidays, social security or the right to attend further education.

Many of the people whose wages are regulated by the Agricultural Wages Board are at the lower tier of the industry. Often they are migrant workers who are low-paid and vulnerable.

There are existing protections in the minimum wage legislation, but those workers are often new to the country. They are faced with language and cultural barriers, and they are, all too often, unaware of their rights. Often the work is seasonal or casual and, therefore, not as tightly regulated as other areas of industry or of the economy as a whole.

We all remember the horror that we felt when 18 Chinese cockle-pickers drowned in Lancashire. That almost unimaginable tragedy was followed by widespread demands for more protection for migrant workers. Such an incident must never happen again. Yet, just three years later, the Assembly is asked to remove what little protection migrant workers have.

Mr Deputy Speaker: Time is up. For those who were puzzled, suigh síos means "sit down".

Mr Irwin: I also thank Mr Elliott for tabling the motion.

The minimum wage legislation has been very practical and welcome and has safeguarded many people, most importantly, the youth of our society, in securing a fair wage. The fact that there is still a separate organisation to oversee the pay structures in the agriculture sector can only be described as another ball and chain around the ankle of the farming industry.

Agriculture is the only industry that has a wages board. In 'Five Steps to a Better Future', the Ulster Farmers' Union lists the abolition of the Agricultural Wages Board as one of those five steps. It ties in with another of the steps: the reduction of red tape and form-filling. The Minister herself, in this very Chamber, voiced her support for the Ulster Farmers' Union document. I invite the Minister to confirm that, since taking her position as Minister of Agriculture and Rural Development, she has performed a spectacular U-turn.

Mr T Clarke: Does the Member agree not that the Minister has necessarily done a U-turn, but that since January she has had an elevation to Minister and is now a puppet on a string for the Department?

Mr Irwin: It looks very much like that.

She now refuses to champion all five priorities laid out by the Ulster Farmers' Union in 'Five Steps to a Better Future'. She said, on 8 January in this Chamber:

"The abolition of the Agricultural Wages Board is also one of the UFU's five priorities. Sinn Féin endorses all five priorities and gives its commitment to champion them." — [*Official Report, Bound Volume 21, p226, col 2*].

The Minister appears to have broken her word on that.

In addition, I invite the Minister to confirm either that her party is divided on the issue, or that Caitríona Ruane was wrong when she suggested the removal of the Agricultural Wages Board. My honourable friend the Member for South Antrim has already quoted her words; however, given that the previous Member has just been speaking, I will reiterate them:

"My party supports the removal of the Agricultural Wages Board (AWB) because, with the introduction of the minimum wage in 1999, the AWB has become yet another layer of unnecessary bureaucracy." — [*Official Report, Bound Volume 21, p216, col 1*].

Why such a monumental change of heart by the Minister of Agriculture? It is somewhat rich that, in the Chamber on 8 January, other Sinn Féin MLAs related the lack of a devolved Administration to the lack of proactive decision-making on agriculture. The abolition of the Agricultural Wages Board would be a great step forward in assisting local industry, yet, when the opportunity exists, the Minister refuses to take it. I support the motion and call on the Minister to abolish the Agricultural Wages Board as soon as possible.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I did not expect to be allowed to speak so soon. However, this is an opportunity to debate a very important subject. I say to the Members opposite that

there is no division in my party on the issue. They might scrap for little pieces here and there, but that is all that they will get. Sinn Féin will always be foremost in respecting and defending the issues of workers, whatever about anyone else. *[Interruption.]*

Mr Deputy Speaker, do I have to take a running commentary from others while I try to make my few points?

Several of the unions have shown that they support the Minister. In today's 'Irish News', a letter written by a member of Unite congratulates the Minister on her decision. Many other people are prepared to say the same.

5.45pm

Ultimately, a Minister is entitled to change her mind — even in the Chamber — on an issue that is of such importance to average workers. Let us consider some of the comments that were made. P J Bradley mentioned the hiring fairs. That is what people had to put up with in the past. Historically, the position of agriculture workers has always been one of low pay, exploitation, awful conditions, and, indeed, abuse of women and sometimes children. David Ford mentioned the farm family. That was the least of the five points that were made. The Minister will defend her decision on the one on the other four, which are of immense importance to the agriculture industry.

The motion has been used to simply target the Minister. Having listened to Members' comments, I consider the issue to be fairly unimportant. The board has existed for years, yet no one has sought its abolition before now. The Assembly should not seek to remove any board lightly that protects the position —

Mr T Clarke: Can the Member explain, therefore, why, in January 2007, his party endorsed all five principles and advocated that the board should be removed? The Member has refused to answer that question when it has been barked across the Chamber at him.

Mr McHugh: I have already mentioned the reason that the Member might have a different view on the matter. When scrutinising the entire situation, care must be taken not to remove workers' protection. Several Members, including Tom Elliott, made various points about the raft of protections that exist, including the national minimum wage, section 75, and equality legislation. In general, politicians pay lip service to such issues in councils and elsewhere. There is precious little support for either section 75 or equality with regard to immigrants, whether they are migrant workers or otherwise. Those measures were only put in place because people were being exploited.

Dr W McCrea: Will the Member give way?

Mr McHugh: I do not have time to give way; I want to make a few other points.

At present, the mistreatment of migrant workers is widespread. It has been said that £187 is a much better wage than the £88 that farmers receive. However, there are a fair number of large farms and, indeed, rich farmers who get sizeable single farm payments — in some instances as much as £200,000 plus. Regardless of whether they are nationals or people from further afield, that is the situation in which workers find themselves, and £187 is a low wage for anyone. Therefore, there is no problem with keeping the issue on the radar for future scrutiny.

It is important that quangos are questioned and, if necessary, removed. Sinn Féin is in favour of that; so, too, is the Minister. However, the members of the Agricultural Wages Board are unpaid. Some people might say that the board is a costly item that farmers must carry. However, the multiples, processors and big manufacturers have cost farmers millions of pounds every year, yet what have some of the unions done to remove them? That is the important question that we must ask ourselves.

I am against the motion because it is a blatant attempt to make a political point and does not support ordinary workers. Go raibh maith agat.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a LeasCheann Comhairle. I thank Mr Elliott for securing the debate. It is clearly important to those who are involved in agriculture, including both employers and employees. Although it is not top of the agenda, as Mr Ford pointed out, it merits debate nonetheless. I welcome the fact that the Assembly has had the chance to discuss it.

I have listened to the points that Mr Elliott and other Members raised. I recognise their concerns, most of which are not new to me. Before I deal with Members' points, I will set out some of the background to the Agricultural Wages Board, the cases for and against the board's abolition, and the rationale for my recent decision not to abolish the board.

The Agricultural Wages (Regulation) (Northern Ireland) Order 1977 established the AWB's structure and statutory authority. Under the Order, the AWB sets a minimum wage rate for agricultural employees over a range of grades. It also sets holiday pay and entitlement, sick pay, and the maximum charge that an employer may make for accommodation provided to employees.

Protection for minority workers in other industries has been mentioned during the debate. I am the Minister of Agriculture and Rural Development, and it is my job to look after the rights of the people for which my Department has responsibility. However, I fully support protection for minority workers in any industry. The maximum charge that an employer may make for

accommodation has been a pertinent issue over many years, particularly for migrant workers.

The Agricultural Wages Board comprises 15 members: six are nominated by the Ulster Farmers' Union, representing employers; six are nominated by the Amalgamated Transport and General Workers' Union, representing employees; and three are independent members.

In addition to the board here, there are two boards in Britain. A similar arrangement for determining agricultural wage rates exists in the South. The board has no staff, and does not expend a budget. Board members do not receive a salary, but receive attendance fees and travel expenses amounting to less than £5,000 for the year 2005-06. That represents a minimal amount of money for the protection of workers' rights.

My Department is responsible for the enforcement of the legislation associated with the board. In practice, that tends to be reactive, in response to complaints that are received from agriculture workers. I am glad to say that there have been very few complaints, which is an indication of compliance by employers. Workers' rights are also supported by enforcement work and inspections of employers undertaken by the Gangmasters Licensing Authority.

Since its establishment, the board has consistently balanced the needs of, and maintained a stable relationship between, agriculture employers and employees. If, in line with the motion, I were to bring forward the necessary measures to abolish the board, primary legislation would be required to repeal The Agricultural Wages (Regulation) (Northern Ireland) Order 1977. That would take some time and would require a legislative vehicle.

On my arrival in the Department of Agriculture and Rural Development, one of the first issues that crossed my desk concerned a recommendation from the Ulster Farmers' Union to abolish the board. That is one element of the UFU's five-point plan, which has been rehearsed several times during the debate. I will not go through the comments that were made in January, other than to say that we stand over what was said. However, and on full exploration of the facts, I decided not to abolish the board. However —

Mr Irwin: Will the Member give way?

Ms Gildernew: No. I will not give way.

Dr W McCrea: Why not?

Ms Gildernew: I do not want to.

Dr W McCrea: This is a debating Chamber.

Ms Gildernew: Dr McCrea has had his chance to speak.

Mr Deputy Speaker: Order.

Minister, I shall take this opportunity to go through a ritual that we must perform. If the business on the Order Paper has not been disposed of by 6.00 pm, in accordance with Standing Order 10.3, I will allow business to continue until 7.00 pm, or until the business has been completed.

Ms Gildernew: Mr Elliott, go raibh maith agat, I did not say that I did not have time to give way. I said that I chose not to give way, and I stand over that decision. I do not have to give way, and I prefer not to.

Mr Deputy Speaker: I did not, in any way, misinterpret what you said in the debate. You have the Floor, so you may continue your speech.

Ms Gildernew: Thank you, a LeasCheann Comhairle. The Ulster Farmers' Union argued, and continues to argue, that with the national minimum wage structure in place to protect the rights of all farm workers, the board is an unnecessary level of bureaucracy for farmers, and that the higher wage rates that are set by the board burden the agriculture sector through the imposition of higher costs. My initial view, in line with my own party's view at the time, was to support that recommendation. Much has been made of that.

I believe that it takes a bigger person to change a position. When the full facts were presented to me, I realised that I did not have all the information required in order to make a decision.

However, in an effort to consider the impact of the abolition of the Agricultural Wages Board on all sectors — *[Interruption.]*

I did not interrupt the Committee Chairman when he spoke.

In order to consider that matter in line with the equality agenda, I considered the balanced views presented by my officials of the potential impact on employers and employees. I also, importantly, consulted with the ATGWU (Amalgamated Transport and General Workers Union), which represents the employees. The ATGWU argued that abolition of the board would place employees here at a financial disadvantage when compared with other workers on these islands, and that it would have wider implications as the board is used as a benchmark for the wider agrifood industry and other rural occupations here.

The strength of feeling at my meeting with the ATGWU representatives was illustrated by their remark that they feared that the loss of the board might result in the North becoming the sweatshop for agriculture workers on these islands. That is surely not what Members want for the North's agriculture employees — or any employees, for that matter.

Having listened to the views expressed, I subsequently considered the case for and against abolition of the board. The national minimum wage structure does not

offer a similar level of protection to that offered by the board. The loss of workers' rights is evident where the board's remit exceeds that of the national minimum wage structure — that is the case in respect of wage rates and leave entitlements. Let me illustrate that point. When I considered the matter in May of this year, the board's minimum wage rate was set at £5.35 per hour, the same level as the national minimum wage rate, but the board also allowed for a higher standard rate of £5.70 an hour for employees with more than 40 weeks' cumulative employment in agriculture. The difference in the two rates is 35p, which, based on a 40-hour week, represent a total weekly difference of some £14. Members will agree that that is not an insignificant amount of money for low-paid agriculture workers.

While I accept that there is a perceived burden on the employer as a result of those marginally higher wage costs, that has to be considered in the context of low-paid agriculture workers and the need to retain them within the agriculture industry in the North. In addition, the farmers faced with higher wage costs tend to be the larger and more profitable farmers, as has already been mentioned by Gerry McHugh. The board also provides for further skills-related wage rates, rising to £7.70 for farm-management grades, aimed at encouraging suitably skilled people in the industry. The national minimum wage structure does not allow for those higher rates.

Let me make it clear that it was my intention at the time of the decision, and remains my intention now, to ensure that regulation and bureaucracy that is imposed is necessary, fit for purpose, proportionate and delivered in a way which best allows the industry to get on with its business.

As regards the additional bureaucracy associated with the Agricultural Wages Board, I note that it is limited to determining whether the work is considered agricultural activity and therefore falls within the remit of the board, and to compliance with the wage rates in place, which differ depending on age, skills and experience. Of course, farmers can opt to pay the higher rate, thereby avoiding that level of bureaucracy completely. Interestingly, the complexity of the board's wage rates, which have the potential to increase the bureaucratic burden, is agreed by all members of the board, including by the representatives of the Ulster Farmers' Union.

In considering the case for and against abolition, I reached several conclusions. The first is that the national minimum wage structure does not offer farm workers the same protection afforded by the board, particularly in terms of wage rates. Secondly, while wage costs under the board are slightly higher, that has to be balanced against the need to retain suitably skilled agriculture workers in the North. Thirdly, the level of bureaucracy associated with the board's rate is not significant and is

no different in the North than anywhere else on these islands. Finally, the board is a valuable forum for wage negotiations, and, as I have said, is an important benchmark for the wider agrifood industry and other rural occupations. In those circumstances, I decided that the board should not be abolished.

In conclusion, I am of the firm view that the abolition of the board would place agriculture workers here at a disadvantage when compared with workers elsewhere on these islands. In the absence of an alternative mechanism to protect the rights of agriculture employees in line with the equality agenda, I remain of the view that the board should not be abolished.

I believe that my decision is in the interests of sustainable farming and protects the rights and continuing availability of farm workers, including migrant workers, in the North. This is a time of significant influx of migrants to the North; in fact, I have just received a letter from the Northern Ireland Council for Ethnic Minorities expressing the view that the abolition of the board would have adverse impacts on migrant workers and those from ethnic minorities who take agricultural jobs.

6.00 pm

Furthermore, I do not believe that it is in the interests of the agriculture industry to allow the North to become, as suggested by the ATGWU, the sweatshop for agricultural workers on these islands. Now is not the time to abolish the Agricultural Wages Board. Accordingly, I cannot support the motion. Go raibh maith agat.

Mr Savage: I commend my colleague and friend the Member for Fermanagh and South Tyrone Mr Elliott for securing the debate. I support the motion and declare an interest as a farmer.

It is hard to believe that the Agricultural Wages Board costs the Government approximately £25,000 a year. Surely the Department of Agriculture and Rural Development can find a better way of spending that money.

The existence of the organisation has been questioned many times over the years. Outrage followed a headline in the 'Belfast Telegraph' on 15 March 2003, which said that farm workers in Ulster were better off than their bosses. That was a very serious situation, which came about because an above-inflation wage hike of 3.75% meant that farm workers were earning more than their employers — a complete scandal. When we consider the bad press that farmers have received over the years, I ask myself: what did the Agricultural Wages Board do about that? There are many people who have a lot of questions to answer on that score.

It was then that the Ulster Farmers' Union called for the abolition of the Agricultural Wages Board. It continues to do so, arguing that the national minimum wage is in place and is a fair and sufficient basis on

which to proceed. A member of the board at that time, who was an Ulster Farmers' Union representative from County Down, said that it was something from the past. The fact that a member of the board said that left a big question mark in my mind.

The Agricultural Wages Board is yet another of Northern Ireland's litany of unelected quangos that waste taxpayers' money hand over fist, and they should be done away with. We now have the opportunity to do that and make savings for the taxpayer, thus ensuring that money can go to front-line services where it is needed most.

We have been elected to take decisions, unlike those who sit on quangos. I recall that in the first Assembly a Minister, who was a very influential person, said that people had been elected to the House and that we did not need unelected people in quangos to tell us what to do. We are here now, and we have a job to do. Let us do the work and take on our responsibilities. We are here today, but we have not moved on one bit.

Although there are opportunities to save taxpayers' money, we also have the opportunity to listen to the representatives of our farming organisations. We are not the first to debate the existence of the Agricultural Wages Board. As was said earlier, the then Secretary of State for Northern Ireland, Peter Hain, announced in March 2006 that the Agricultural Wages Board in Northern Ireland was to be scrapped. That announcement came in the wake of Government plans to reduce bureaucracy.

However, in April of the same year, Mr Hain backtracked on his statement and decided that the board would not be abolished. If the contents of the statement had been implemented, Northern Ireland would have been the first UK region to abandon its Agricultural Wages Board and thus would have taken a lead on many issues.

When people are trying to get elected, it is easy for them to make statements that please the general public. However, it can be difficult to stand over those statements when those people are in a position of power. Hindsight is a wonderful thing and, sadly, under devolution, the new Minister has decided to keep the Agricultural Wages Board, contrary to the views and wishes of many Members of the House.

The duplication of legislation in the House, and in Departments, borders on red tape. I have known a number of the officials in the Department of Agriculture and Rural Development for many years, and I am not criticising them. However, the Minister has been wrongly advised not to scrap the Agricultural Wages Board. The farming industry has come through difficult times in the past few years, but it has survived. The Department now has the opportunity to move forward.

Dr W McCrea: The basic issue of trust is at stake. On 8 January 2007, the Minister, as an elected Member — and she is an elected Member along with everyone else — said:

“The abolition of the Agricultural Wages Board is also one of the UFU's five priorities. Sinn Féin endorses all five priorities and gives its commitment to champion them.” — [*Official Report, Bound Volume 21, p226, col 2*].

The priority of the abolition of the Agricultural Wages Board is as important as the rest. If the Minister cannot be trusted to keep that promise, how can the farming community trust and rely on her to keep any of the other four promises?

Ms Gildernew: Will Mr Savage give way?

Dr W McCrea: No. [*Laughter.*]

Mr Savage: I have given way to one Member, so I have to give way to another.

Ms Gildernew: Some people are losing the run of themselves this evening.

I was not given bad advice. When I became Minister, I considered the issue of the abolition of the Agricultural Wages Board, and I soon realised that I had heard only one side of the argument. When I considered the rights of the people who are the most vulnerable in society and the issues concerning the protection of agriculture workers, I knew that I was doing the right thing. As a republican, I have no doubt that I made the right decision. I stand over that decision, and I do not regret it for a minute. I want to look after the rights of the most vulnerable and low-paid people in society, and the Member will know better than most how concerned I am about farmers and their profitability. I took the action that I did because I knew that it was the right thing to do. I stand over that, and the Member will recognise that I will do my absolute best for farmers, their employees, and the rural community.

Mr McNarry: Will the Member agree that the Minister's comments go beyond what we have been hearing all week about collectivity and collective Executive decisions? Does the Member agree, on behalf of the Assembly, to ask the Minister whether she is taking the matter to the Executive? Is the matter worthy of Executive referral? As the House is apparently divided, should she seek corporate backing and support, or will she get into trouble, as another Minister has done?

Mr Savage: I can only ask the Minister to consult the Executive, because that is her prerogative, but I hope that she will.

Mr Deputy Speaker, I do not want you to tell me that I am not sticking to the subject of the debate, because I am serious about this matter. Northern Ireland's Department of Agriculture and Rural Development has come through a tough time, and it faces an even more difficult time in the coming months.

Over the past 10 days, a dispute has been raging about the Red Meat Industry Task Force report. Will the Minister do everything in her power to bring all sides together to discuss that dispute and to ensure the survival of a viable industry in Northern Ireland? I hope that the Minister will take that extremely serious matter on board. Remember one thing: the agriculture industry is the backbone of Northern Ireland, whether Members like it or not.

Question put.

The Assembly divided: Ayes 37; Noes 28.

AYES

Mr Beggs, Mr P J Bradley, Mr Bresland, Lord Browne, Mr T Clarke, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Sir Reg Empey, Dr Farry, Mr Ford, Mr Hamilton, Mr Irwin, Mr Kennedy, Ms Lo, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Mr McGimpsey, Miss McIlveen, Mr McNarry, Lord Morrow, Rev Dr Ian Paisley, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr P Robinson, Mr Savage, Mr Spratt, Mr Storey, Mr Wells.

Tellers for the Ayes: Mr Bresland and Mr Elliott.

NOES

Mr Adams, Ms Anderson, Mrs M Bradley, Mr Brady, Mr Brolly, Mr Butler, Mr W Clarke, Mr Doherty, Mr Durkan, Ms Gildernew, Mrs Hanna, Mr G Kelly, Mr A Maginness, Mr P Maskey, Ms J McCann, Mr McCartney, Mr McElduff, Mrs McGill, Mr M McGuinness, Mr McHugh, Mr McLaughlin, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mr P Ramsey, Ms Ritchie, Ms Ruane.

Tellers for the Noes: Ms Anderson and Mr McCartney.

Question accordingly agreed to.

Resolved:

That this Assembly calls on the Minister of Agriculture and Rural Development to bring forward the required legislation to abolish the Agricultural Wages Board.

Adjourned at 6.23 pm.

NORTHERN IRELAND ASSEMBLY

Thursday 25 October 2007

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

Members observed two minutes' silence.

EXECUTIVE BUSINESS

Draft Programme for Government and Investment Strategy for Northern Ireland

Mr Speaker: I remind Members that the first three items of business this morning are statements and will follow the normal format. Therefore, after each statement is made, Members will have the opportunity to ask questions of the relevant Minister.

I have received notice from the Office of the First Minister and deputy First Minister that they wish to make a statement on the draft Programme for Government and investment strategy for Northern Ireland. Before I call Dr Paisley, I remind Members that the First Minister will deliver the first half of the statement and the deputy First Minister the second half. They will then answer questions alternately, with the First Minister answering the first question.

The First Minister (Rev Dr Ian Paisley): This is another momentous day for the Executive. The deputy First Minister and I are today announcing the Executive's first draft Programme for Government and draft investment strategy. Immediately after this statement, the Minister of Finance and Personnel will announce the Executive's draft Budget to the Assembly.

It is worth pausing for a moment to remind ourselves of the sea change that has taken place since 8 May 2007.

Northern Ireland governance is now in the hands of local politicians. Those politicians were elected by the people here to be their representatives; they were born and bred here, and they know and understand the concerns of our people. They have a long-term interest in the Province and its people — our constituents. Our destiny is now in our own hands. We have a tremendous opportunity to shape our future, and we are determined to seize that chance with both hands.

However, we cannot fulfil our potential without engaging with all the people of Northern Ireland. We

want to work with the business people who generate wealth and who want to provide more highly skilled and better-paid jobs. We must engage with the young people who are looking for jobs and homes and a stake in a better future. We must consider the young parents hoping for a better future for their children, just as they should. What parent does not have high hopes for his or her children? We must engage with older people, to whom we owe so much and who often suffer in their retirement as a result of ill health and poverty. We want to bring comfort and security to them — that is the only decent way for people who are in their twilight years to live. Farming families are important: they struggle with falling incomes and rising costs. We are all conscious of the difficulties that the farming community faces. We must also acknowledge the newcomers to our Province and the growing ethnic minority communities who are already making a positive contribution to our economy and who are full of hope for the future. However, let us not forget the victims in our community who have suffered — and who are still suffering — as a result of the legacy of the past. They, too, need to be engaged with and cared for.

As an Executive, we are determined to make a difference by building a better future for all, and we will focus our energies on achieving that. We shall not be satisfied unless we produce results that far supersede all that has happened over recent decades in Northern Ireland. We want to deliver those results through our Programme for Government and our investment strategy.

The Executive agreed a draft Programme for Government and a draft investment strategy for Northern Ireland on 23 October. Later this morning, the Minister of Finance and Personnel will reveal the draft Budget, which was agreed at the same Executive meeting. This process marks a significant milestone for the Government of Northern Ireland. We are now laying the draft Programme for Government and the draft investment strategy before the Assembly for scrutiny and future approval once the Assembly Committees have examined them.

Through the launch of those documents, we are announcing the start of a consultation process that will last until 4 January 2008. It is fewer than six months since 8 May 2007, when devolution was restored. On that day I said:

“Today, at long last, we are starting upon the road — I emphasise starting — which I believe will take us to lasting peace in our Province.”

At the time, we recognised that it would be a long and sometimes difficult journey, and one on which we must not falter if we are to build a Northern Ireland in which everyone can live in the sort of peaceful society that we all desire.

In May, many doubted the Executive's ability to work together and to reach agreement on our priorities, key targets and spending plans for the next three years.

The achievement of the early publication of these three draft documents — just over two weeks after the Chancellor announced the outcome of the comprehensive spending review and the precise spending allocations for Northern Ireland — is no mean achievement. That has required considerable effort on our part, and today's publication of this suite of documents is clear evidence that this Executive can and will work together in the interests of all our people.

I turn to our approach to the Programme for Government. The publication of these documents together will no doubt emphasise the close linkages among them. Taken together, they set out the Executive's long-term vision and direction; they also explain how our priorities and goals will be resourced and delivered.

The draft Programme for Government represents a very different approach to that which was adopted by the last Executive. We have facilitated the creation of a more focused set of priorities and a smaller number of key goals. The Executive feel that it is important to be clear about our priorities and what we are trying to achieve.

I commend all Executive Ministers for the committed and co-operative approach that they have adopted in agreeing our priorities and key goals. I believe that we have produced a draft Programme for Government that addresses the real challenges that face Northern Ireland today. We believe that the Programme for Government offers a clear framework at a strategic level for us to develop our policies and programmes over the next three years.

Although the Programme for Government offers a clear steer, it is, of course, not set in stone. We will have the opportunity each year to review the Programme for Government and to make any changes that we may consider necessary. We hope that any such changes will be marginal, but that flexibility exists, should we need to deploy it.

The Programme for Government also indicates our longer-term aspirations and intentions in some areas. However, the immediate focus relates to 2008-11, which are the years that are covered by the comprehensive spending review. In simple terms, we know how much we will have to spend over those years, and we can, therefore, set detailed goals, targets and outcomes for what we intend to achieve over that period.

As Members will hear later from the Minister of Finance and Personnel, this has been a difficult budgetary settlement, and hard decisions have been made. We simply do not have the funding to do all that we would wish to do.

In developing our draft Programme for Government, we have also been conscious of the need for the Executive to look outward and to seek the help of our friends in Europe, the United States, and elsewhere. We cannot prosper without constructive links outside Northern Ireland. We will be working to foster and promote our North/South and east-west linkages to take forward mutually beneficial and practical co-operation with the British and Irish Governments.

We will continue to work with the European Commission Task Force that was created by the European President to consider how our region can participate more effectively in any new initiatives. We are also planning an investment conference for spring 2008, which will provide an opportunity for us to position ourselves as a competitive business location for US companies in information and communication technology, and in the financial and business services sector. On the wider world stage, we are also looking forward to the World Expo 2010 — we will make the most of that opportunity and participate fully in it.

The document that we are publishing today is strategic and high level. We are also publishing a series of public service agreements as an annex to the draft Programme for Government, and the deputy First Minister will say more about that shortly.

10.45 pm

The overarching aim of the Programme for Government is to build a peaceful, fair and prosperous society in Northern Ireland, with respect for the rule of law, and where everyone can enjoy a better quality of life now and in years to come. The Executive face many challenges in achieving this overarching aim. Therefore, we have decided to focus on five key priorities, which are interconnected and cannot be pursued in isolation.

Our approach to delivering our priorities will be underpinned by two cross-cutting key themes. First, all our policies and programmes must work towards building a better future; they must demonstrate fairness, inclusion and equality of opportunity. Secondly, the need to build a sustainable future will also be a key requirement for our economic, social and environmental policies and programmes.

Growing a dynamic economy will be our top priority during the lifetime of this Programme for Government. Sustainable economic growth and increased prosperity will provide the opportunities and the means through which we can enhance quality of life, reduce poverty and disadvantage, increase health and well-being, and build stronger and more sustainable and empowered communities.

To underpin our commitment to developing the economy, we have set ourselves a goal of halving the private-sector productivity gap with the UK average — excluding the greater south-east — by 2015. It is an

ambitious target. However, we believe that we must have high aspirations if we are to make the kind of progress that we desire.

As an Executive, we recognise the characteristics of a successful economy: a highly skilled and flexible workforce; and employment growth. To that end, we will work to increase the employment rate from 70% to 75% by 2020. We will introduce measures that are designed to address the structural weakness in our economy, and that will help to develop a dynamic business culture in Northern Ireland. We will create an environment that will support 45 new businesses and 600 existing companies to become exporters for the first time by 2011.

We will seek to secure inward investment commitments, promising more than 6,500 new jobs by 2011 and ensuring that at least 75% of those jobs will provide salaries above the local private-sector average.

We aim to increase the number of tourists visiting Northern Ireland and by 2011 to increase tourism revenue from £370 million to £520 million each year.

We want to support business and create a culture in which enterprise can flourish. We will work with the business sector to deliver widespread access for businesses to the next-generation broadband network by 2011.

I have mentioned the importance of a well-skilled workforce. We aim to ensure that by 2011, some 70% of school leavers will achieve five or more GCSE passes at grade A* to C. By 2015, we aim to ensure that 80% of the working-age population is qualified to at least GCSE level or equivalent. We will increase the number of adult learners achieving a qualification in literacy, numeracy, and information and communication technology by 2015. In particular, we will seek to develop the science base that is vital to the economy. By 2015, we will increase by 25% the numbers of students, especially from disadvantaged communities, at graduate and postgraduate level, studying science, technology, engineering and mathematics. By 2010, we will increase the number of PhD research students at local universities by 300, and we will introduce a new programme to increase the commercialisation of university and college research by the same date.

We will take steps to address problems of economic inactivity and to promote greater employment opportunities in rural areas and in disadvantaged communities. We will invest £45 million by 2013 to improve the competitiveness of the rural sector.

If we are to create the conditions for economic growth and deliver real improvements in health and well-being, we must continue to advance social transformation and the inclusion of all. We want everyone in Northern Ireland to be given the opportunity to contribute to and benefit from, a better future. Promoting tolerance, inclusion and health and well-

being is, therefore, our next priority. Too many people, particularly the most vulnerable, live in communities that continue to experience high levels of poverty, disadvantage and exclusion. Those communities face higher levels of poor health and low educational achievement and, as a result, they fail to enjoy the benefits of progress. Therefore, a key goal for the Executive will be to reduce child poverty by 50% by 2010, and to eradicate it by 2020.

By 2011, some 30% of school leavers who are entitled to free school meals will obtain five or more GCSE passes at grade A* to C. By 2011, we will increase to 125,000 the number of children and young people who participate in sport and physical recreation. By 2012, we will reduce by 50% the number of children killed or seriously injured on our roads.

At the other end of the age spectrum, I am delighted to announce, as part of the draft Programme for Government, the extension of free public transport during 2008 for everyone aged 60 and over.

Some Members: Hear, hear.

The First Minister: I must say that I have an interest in that.

We aim to support the most vulnerable, to create strong, vibrant, sustainable communities and to build community capacity and leadership. We will continue our efforts to address divisions in our society and to eradicate sectarianism, racism and intolerance. We will regenerate our urban and rural areas and will invest over £500 million in regenerating disadvantaged communities, neighbourhoods, towns and cities by 2012.

We are also announcing a £10 million package to combat rural social exclusion and poverty. We will seek to remove the barriers to employment and independent living for the most vulnerable and disadvantaged. In 2008, we will introduce a new employment and support allowance to enable those unemployed due to ill-health or disability to return to work. By 2010, we will also put in place a careers advice service to meet the needs of people with disabilities.

We will seek to address the health of the population by reducing treatment times and improving treatment outcomes, as well as taking steps to improve physical and mental health. We will work towards reducing mortality from strokes and bowel cancer by 15% by 2013, and by 2009, we will introduce a screening programme to improve survival rates from bowel cancer. We will help people with chronic illnesses to live more active lives and will reduce unplanned hospital admissions for such patients by 50% by 2013.

Our rich and varied natural heritage is a key asset for the people of Northern Ireland, and, as our next priority, we will seek to protect and enhance our environmental and natural resources for future

generations. We recognise the links between a healthy environment, a thriving economy and high quality of life. Therefore, we are determined to take action to protect our natural and built heritage.

I am sure that many Members will be delighted to learn that we are now committed to delivering a fundamental overhaul of the planning system by 2011 to ensure that it supports economic and social development and environmental sustainability.

The Executive recognise clearly the potential impact of climate change. We will deliver a new sewer project for central Belfast by 2010. We are also determined to play our part in protecting the environment by reducing our carbon footprint by 25% by 2025. We will seek to promote greater use of renewables by ensuring that 12% of Northern Ireland's electricity is generated from indigenous renewable sources by 2012. Finally, we will enable up to 4,700 farmers to comply with the nitrates directive of 2009.

We must also invest to build our infrastructure. Through making this a priority, we will invest to build a modern, efficient, twenty-first century infrastructure, which will help to deliver economic and social development. This priority will ensure that businesses can compete more effectively and will help to attract investment and skilled workers. It promotes inclusion and access to services, and raises the quality of life for everyone. The deputy First Minister will say more about this priority in detail when he presents the investment strategy to the House.

Our final priority is to deliver modern, high-quality and efficient public services, demonstrating our commitment to world-class public services that meet the needs of the people of Northern Ireland. We will take forward key reform programmes in areas such as water, planning, health and education, and establish a library authority and an education and skills authority by 2009.

11.00 am

To ensure that we have the most appropriate structures in place, we will review the overall number of Departments by 2011. We will also modernise the structure and powers of local government by 2011 and seek to modernise the infrastructure and processes of the Civil Service. I am pleased to be able to tell the farming community that we will reduce by 25% the administrative burden on farmers and agrifood businesses by 2013. Our aim in doing that will be to bring the Government closer to the people, revitalise public services and achieve greater efficiencies. We will introduce a single telephone contact point for public services by 2009 and streamline 70% of Departments and agency websites by the same date.

The draft Programme for Government represents a blueprint for Ulster's future. We are building the

foundation for a vibrant and successful future for the people of Northern Ireland. The deputy First Minister will continue by outlining the fifth priority and presenting the draft investment strategy. I strongly commend the draft Programme for Government to everyone in the House, and I intend to live to see it through.

The deputy First Minister (Mr M McGuinness):

A Cheann Comhairle, with your permission, I welcome the presence of a sizeable delegation of Iraqi parliamentarians and politicians to Parliament Buildings. Some of them are in the Gallery listening to Members' deliberations, and I am sure that I speak for all Members when I say that we wish them well during their stay.

The First Minister has highlighted the progress that the Executive have made in agreeing their first draft Programme for Government and given Members an indication of what we plan to achieve under four of the five priorities. I want to echo the First Minister's comments about the seismic shift that we have seen since 8 May. This place is truly under new management. Who would have believed how far we have come in so short a time? The draft Programme for Government marks a real difference from what has gone before. Its presentation and content are different from that published by the previous Executive. We have tried to clearly set out the Executive's key priorities along with the high-level goals that the Executive are working to achieve.

The First Minister referred to his speech of 8 May. Similarly, I commented on that day that we would:

"strive towards a society moving from division and disharmony to one which celebrates our diversity and is determined to provide a better future for all our people."

Those sentiments are captured and expressed in the draft Programme for Government. There is much hard work to be done if the Programme for Government is to be delivered, but its publication after less than six months in Government shows that we are determined and able to apply ourselves to that task.

The First Minister mentioned that we are today publishing for consultation the draft Programme for Government, the draft Budget and the draft investment strategy. Today's announcement marks the beginning of a 10-week period of consultation that will conclude on 4 January 2008. I know that many Members would like a longer time for consultation, but it is important that the Budget in particular be agreed in sufficient time to enable detailed spending plans to be drawn up and put in place by 1 April. There is, therefore, an imperative to finalise and agree the documents as early as possible in January so that the Executive's plans can be put in place and we can ensure that the business of Government runs smoothly into the next financial year.

As the First Minister has already explained, the documents will be subject to revision as necessary as our policies develop and as we respond to changing

needs. However, we must be clear about the goals that we are working to deliver, agree them and move forward collectively towards their achievement. The close linkages between the three documents mean that we have decided to undertake the consultation process in a co-ordinated fashion.

The consultation will be led by the Office of the First Minister and deputy First Minister, but will also involve the Department of Finance and Personnel and the Strategic Investment Board (SIB), which will be responsible for the Budget and the investment strategy respectively.

The documents will need to be agreed by the Assembly in due course. The Assembly Committees will have an important role to play in putting forward their views for consideration, and will form an integral part of the consultation process. We will be asking the OFMDFM Committee to play a co-ordinating role in liaising with the other Committees and gathering their views. We will also be seeking a take-note debate in the Assembly at an appropriate point in the consultation.

Separately, we will consult key stakeholders and social partners, as well as members of the public. We look forward to active engagement with key interest groups throughout the consultation period. Once the consultation process has concluded and we have had an opportunity to consider the comments received, we will present a final Programme for Government, Budget and investment strategy to the Assembly — we hope to do that before the end of January.

The First Minister has provided the Assembly with an indication of some of the contents of the draft Programme for Government, and I do not intend to repeat what he has said. However, I want to emphasise that these are the Executive's agreed priorities, and they provide the basis on which we plan to move forward in the future.

The First Minister has also referred briefly to the draft public service agreements that we are publishing today as a separate annex. Those 23 public service agreements, or PSAs, confirm the key actions that the Executive plan to take in support of our priorities alongside the outcomes and targets that we are seeking to achieve. Again, they seek only to capture the high-level targets and key cross-cutting issues and challenges. They will provide the framework through which the Executive as a whole will monitor progress, delivery of priorities and key objectives.

I will now provide some detail on the infrastructure priority, which the First Minister referred to earlier. Investing to build our infrastructure will be an important priority through which we will invest to build a modern, twenty-first-century infrastructure. All Members of the Assembly will know of the significant challenges we face in this area: schools that have gone on beyond

their useful life; children who are still being taught in temporary classrooms or schools in dire need of refurbishment and modernisation; communities in need of new healthcare facilities; young families looking for social and affordable housing; a business community that needs better roads and modern information and communication links; and the legacy of a long history of neglect and underinvestment in our basic water and sewerage infrastructure, which we are all living with. All of those issues are fundamental for the health and well-being of everyone.

Members will know that we have inherited those huge challenges from direct rule. However, as an Executive, we are rising to meet those challenges. We are grappling with all of those issues and are determined to address them and to give our people the modern services and facilities that they need.

We will support infrastructure development, which will, over time, address the major deficiencies in key areas such as roads, public transport, water and sewerage infrastructure, and social and affordable housing. We will prioritise more balanced regional development, ensure compliance with EU directives, and address the backlog of maintenance in the health and education estates.

This will be delivered through the draft investment strategy that we are announcing today. The investment strategy will put in place a modern infrastructure that will provide a platform for us to achieve our key economic, social and environmental priorities, which will enable businesses to grow, tackle social and economic inequalities, and improve the quality of life for everyone.

Recognising that Government procurement can play an active and effective role in tackling socio-economic disadvantage, we have ensured that we will seek opportunities to promote social inclusion and equality of opportunity in the procurement of infrastructure programmes. That will impact through employment plans, by building opportunities for apprenticeships into major delivery contracts, and through a tendering process that prioritises the most economically advantageous option in this context.

Similarly, the quality of our environment is important, and our investment strategy will ensure that we protect and enhance it.

Those will be important considerations as we invest £5.6 billion into infrastructure over the next three years and at least £18 billion over the next 10 years. In those first three years, 25% more will be invested than in the preceding three years, which represents a further step change that the Executive is leading.

Strategic Investment Board Ltd — a wholly-owned company of the Office of the First Minister and deputy First Minister — has taken the lead in working with Departments to prepare the draft investment strategy

for the Executive's consideration. That document was agreed by the Executive at its meeting on 23 October.

The first three years' figures in the strategy are consistent with those in the Budget, which the Minister of Finance and Personnel will announce shortly. The figures for later years fall outside the current Budget period but have been formulated within a financial framework that has been agreed with the Department of Finance and Personnel.

However, in order to provide a comprehensive picture of anticipated future investment, the investment strategy reflects the impact of additional sources of funding that lie outside of what is, by convention, included in the Executive's normal public-expenditure Budget. That is clear in the published document, and all sources of funding are included in the figures that I am announcing today.

The draft investment strategy demonstrates our approach to infrastructure investment and clearly links the major £18 billion programme of investment to the key priorities that are set out in the draft Programme for Government. That is a significant funding envelope, which will enable us to embark on what is, by any standards, an ambitious programme of infrastructure development.

Although £18 billion is a considerable sum of money, it is not enough to fully meet the needs that we wish to address. The Executive, with the crucial advice of the Assembly, must come to a view on the optimum investment package that can be achieved using the available resources. However, it is also essential for the Executive to explore additional funding sources that would enable us to deliver a more ambitious programme of capital investment.

I cannot do justice to the full scope of what the Executive are setting out to accomplish for all of our communities through these investment programmes. Members will carefully study the draft investment strategy and, through the Committees, will formulate the Assembly's views.

I will mention several areas in more detail to illustrate how we aim to build a peaceful, fair and prosperous society, beginning with an overview of how funding will be allocated up to 2018.

We intend to invest £3.8 billion in the strategic road network and in public transport. Key transport corridors will be upgraded to connect towns and cities to regional getaways, the Belfast metropolitan area and the Southern road network. The development of a modern rapid-transport system for greater Belfast will begin, and rail services will be improved by the introduction of new services and rolling stock.

We will invest £3 billion in the water, waste water and waste management infrastructures, which will produce

high quality water and waste water systems that will be capable of meeting EU requirements. We will work in partnership with district councils so that by 2011 we will deliver a new waste management infrastructure that will recognise our EU regulatory obligations and make use of more sustainable technologies.

There will be £3.5 billion invested in schools and youth services and a further £632 million in further education and libraries. Schools are at the heart of communities, and our aim is to substantially modernise the schools' estate, enable schools to link better with the further education sector and allow them to become better aligned with the needs of the population and the skills that will be required in the future. Between 2008 and 2011, we will progress major works in more than 100 schools.

The universities will be supported in order to help them increase their research and teaching capabilities.

Further education colleges will be modernised, with a new campus for Belfast Metropolitan College and new accommodation at the North West Regional College to open by 2010.

11.15 am

There will be investment of £3.5 billion in health and social care. The Executive recognise the increase and changes in the need and demand for health and social services that we can expect over the next 20 years. Therefore, we will make substantial investments across the key sectors of primary and community care and acute and local hospitals.

We will develop a regional network of primary- and community-care facilities to bring services to the heart of the community; an acute hospital network that can deliver the best health outcomes; local hospitals that will form a crucial bridge between acute hospitals and primary and community care.

We plan to designate £1.4 billion for social and affordable housing, together with more than £600 million for regeneration and £500 million for culture, arts and sport. High quality and well-managed housing is a cornerstone of sustainable communities. Throughout the lifetime of the investment strategy, we will invest in socially rented and affordable housing to address the needs of communities across the region. Our programme of investment in social housing will enable us to work towards our ambitious target of completing up to 10,000 new social housing units over the next five years.

We will continue with major public-sector-led regeneration initiatives that will have a positive impact on social and economic issues. We will also invest in the Ilex regeneration plan for Ebrington and Fort George and in the Crumlin Road jail and Girdwood sites.

Investment in arts and culture infrastructure will enable us to keep pace with the artistic and cultural

expectations of a modern society. We will have invested £100 million in our sports facilities by 2011, thereby ensuring a lasting legacy from the 2012 Olympic and Paralympic Games.

We are also supporting the potential of our inland waterways, where development is an area of practical North/South co-operation.

Although that represents a significant and ambitious programme of investment by any standards, it still does not represent adequate resources to meet all needs. Therefore, we have decided to create a capital realisation task force. The first stage of the task force's work will be complete in December 2007, when it will report on immediate additional disposals that could impact on the capital affordability envelope for the CSR years by increasing the available resources.

We hope that the task force's recommendations can be taken into account when finalising the investment strategy in January 2008. The Executive have agreed that social housing and schools will be priority areas for consideration, if additional funds are identified as part of that work.

As I explained, the documents published today will be subject to consultation before being finalised in the new year. I ask all those who read the draft Programme for Government and the draft investment strategy to look for the positives in them; to set aside narrow sectional interests and naysaying; to pursue the general good, to understand the difficult choices that we have had to make about priorities; to be optimistic and enthusiastic about the future, and to join us in this great enterprise of shaping our future. In short, I ask everyone to bend their energies to helping us to build the better future that we all want.

The Executive consider that our approach and plans mark a radical change from direct rule and from the previous Executive. The style of our plans is very different; we have adopted a more strategic and outcome-focused approach. We have also adopted a more integrated and complementary approach with the Programme for Government at its centre.

In the documents, readers will find more details of our goals, targets and spending plans than we have been able to cover today, and which will demonstrate the course that we are on. The plans provide a framework within which we will work. The Executive must lead the development of our policies and the delivery of our plans, so that we can demonstrate in practice the difference that we can make.

A Cheann Comhairle, the First Minister acknowledged that we cannot fulfil our potential without engaging all of the people.

I wish to reinforce that point.

We must strive to connect with all people, particularly those members of society who are marginalised and disadvantaged and those who are new members of society. It is absolutely right that Government should be close to the people and should operate in their interests.

We want to make a positive difference in people's lives, and we want to make a difference for everyone. As an Executive, we are committed to the promotion of inclusion and a shared future built on equality and respect for diversity, in which sectarianism, racism and other forms of intolerance are a thing of the past. We want people to feel confident and secure in their identity and in their place in society. We must build a future in which people are cherished for their rich diversity and many talents, and in which we all share in economic growth and prosperity. We want a future that is fit for our children and our children's children. We believe that, by working together, and harnessing the talents of all sectors — public, private, voluntary and community — we can build a better future for all.

Those are the challenges that we have set ourselves, and those are our commitments to those who elected us to represent them. We are determined to fulfil those commitments. We owe nothing less to the people who elected us to this House.

Mrs Long: On a point of order, Mr Speaker. The Programme for Government has just been introduced to Members, and questions are about to be taken on it. However, a significant number of pages appear to be missing from the documents that have been circulated. The documents are exceptionally thin, and those sections to which the First Minister and the deputy First Minister referred in respect of a shared future and good relations appear to be absent — certainly from the copy that I have. Is there a chance that those pages have been left at the printers, and will it be possible to have them circulated later?

Mr Speaker: I understand the point that Mrs Long is making. However, that is certainly not an appropriate point of order.

Before I call the Chairperson of the Committee for the Office of the First Minister and deputy First Minister, I inform Members that more than 40 Members wish to ask questions. That is understandable, considering the business of the House this morning. I remind Members that if their questions are short, that will enable their colleagues to also ask questions.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): That is timely advice, Mr Speaker. As Chairperson of the Committee for the Office of the First Minister and deputy First Minister, I welcome the publication, for consultation, of the draft Programme for Government 2008-11, and the draft investment strategy. I also welcome the clear indication of the

First Minister, confirming the status of the document — that it is a draft Programme of Government, for consultation, which may be subject to change.

Given the importance of the proposals, I have some concern that, taking into account the Christmas holidays, the consultation period will effectively last for a shorter period than normal. It is a pity that the proposals could not have been published earlier to ensure that there is a full 12-week consultation period.

I inform the First Minister and the deputy First Minister that, yesterday, my Committee — in the historic location of Magee College, Londonderry — received an informative and thought-provoking presentation from representatives of Save the Children on the level of child poverty. That presentation was part of the Committee's inquiry into that matter.

I welcome the commitment in the Programme for Government that it will be a priority of the Executive to tackle the levels of poverty in Northern Ireland in general, and, in particular, the intention to halve child poverty by 2010, and end it by 2020. What are the specific actions that have been included in the draft Programme for Government to achieve those aims?

In respect of the co-ordinating role of my Committee, which was outlined by the First Minister and the deputy First Minister, I can advise the House that early indications suggest that my Committee will welcome the opportunity to fulfil that role and work with other Committees.

Mr Speaker: I ask the Member to take his seat. I know that he is speaking as Chairperson of a Committee, and I have always said that I will try to give Chairpersons some latitude. However, this morning, as is appropriate, other Members wish to speak in their capacity as Committee Chairpersons. Therefore, I ask them to be as brief as other Members in asking their questions.

Mr Kennedy: Given the criticisms of the first investment strategy, will the First Minister and deputy First Minister indicate how the fundamental issues that are connected to the ability of the public sector to deliver the proposed investment strategy in full have been addressed? Full delivery of the strategy is essential in order to prevent the year-on-year high levels of capital underspend that have been a regular feature.

Speaking not in my capacity as a Committee Chairman but as a Member, I ask the First Minister and the deputy First Minister to describe the progress that has been made in securing an adequate financial deal from the Treasury for Northern Ireland. Both parties have placed importance on such a deal being a prerequisite for the re-establishment of devolution in Northern Ireland. Bearing in mind that the people were promised the mother and father of a financial deal to go with the mother and father of a political deal, when can Members expect to receive details of the package?

The First Minister: I am surprised that the honourable gentleman thinks that a 10-week consultation period is not long enough. The Executive has to make a move. With every week that passes, poverty and difficulties in the Health Service remain. The time has come for us to put on our running shoes. The Assembly has been criticised for doing nothing: now we are being criticised for moving too fast. As far as I am concerned, we could not move fast enough on those issues.

Does the Member not have any words of comfort for people? We have said that we will overhaul the planning system fundamentally. What does he have to say about that? He has forgotten about it. From today, all large-scale investment planning proposals will be decided within six months, provided that a pre-application consultation has taken place. The Member does not have any words of comfort about that. He has forgotten all about the poor old people such as me who want a free bus ride, and he has forgotten all about the rapid transit system and many other things that we have mentioned. Does he not have any words of comfort at all, or is he here just to make a cheap political point?

Mr McQuillan: What priority will the Executive give to inward investment?

The deputy First Minister: Securing high-value inward investment is a key objective for the Executive. The draft Programme for Government includes the key goal of securing commitments on inward investment, promising over 6,500 new jobs by 2011. We want at least 75% of those jobs to provide salaries that are higher than the local private-sector average.

Given the events of the past six months, it is clear that there is tremendous international interest in the political developments that have occurred here. Many Ministers have already visited the United States, particularly during the Smithsonian festival. It was obvious from that visit, and from all the visits that have taken place, that the Irish-American, Scots-Irish and Ulster-Scots business communities are phenomenally interested in everything that happens here. We hope that the build-up has commenced to what will probably be the most important economic investment conference that has ever been seen in the North, which will take place in May next year. We hope that further delegations will arrive to tee up the agenda for that conference to ensure that it will produce results and real jobs — particularly for young people — rather than aspirations or fine words.

11.30 am

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I welcome the statement from OFMDFM and the publication of the draft Programme for Government. I welcome the commitment from the Office of the First Minister and deputy First Minister

and the Executive to make a positive difference in people's lives.

Can the Minister advise how the Programme for Government will address the needs of children and young people? Which specific programmes for children and young people have been included?

The First Minister: I thank the honourable lady for her question. Northern Ireland's children are our future, and it is right that we support them and help them to realise their potential. We are determined that our children will receive the support and help that they need through the PSA framework. The Executive have outlined clear commitments to eradicating child poverty, improving educational outcomes, particularly for the most disadvantaged, and ensuring that all our children are cared for, live in safety and are protected from abuse.

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr Durkan): I thank the First Minister and the deputy First Minister for the statement, and the Executive for the draft Programme for Government. As Chairperson of the Enterprise, Trade and Investment Committee I welcome both the commitments to enterprise and innovation and the interventions designed to ensure that Northern Ireland has a competitive economy. The commitments are welcome, but they are not new, as they are exactly what we had in the Committee on the Preparation for Government and the Programme for Government Committee. The saccharine jargon does not differ much from what went before, including during direct rule. Most of the same phrases are there in statements by the former Secretary of State Peter Hain. The deputy First Minister said that the Executive had inherited challenges from direct rule — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr Durkan: It has also inherited some policies from direct rule.

The Committee for Enterprise, Trade and Investment looks forward to using the consultation period for both the draft Programme for Government and the Budget to contribute ideas that might amplify the plans to create a more articulate and effective outlook. The deputy First Minister said that he did not want naysaying, but both the deputy First Minister and the First Minister have naysaid the achievements of the previous Executive. The previous Executive put in place the basis for the investment strategy for Northern Ireland and the Strategic Investment Board, against opposition from Sinn Féin and the DUP. Now, those are the centrepieces of their draft Programme for Government. *[Interruption.]*

Mr Speaker: Order.

The deputy First Minister: The First Minister and I have both made it clear that we plan to do things

differently. We made no criticism of the previous Executive. The big difference is that we have decided to take —

Mr Durkan: Our ideas. *[Laughter.]*

Mr Speaker: Order, order. I remind Members that the business conducted in the House today may give rise to strong emotions among some Members. *[Laughter.]* However, when Members are speaking on the Floor they should not be interrupted, but should be allowed to speak.

The deputy First Minister: As I said, we have made it clear that we plan to do things differently, and that this Executive are adopting a more strategic approach to the Programme for Government, the Budget and the investment strategy over the course of 10 years. People should accept that this is a good day for everyone. After only five months in office, the Executive have set out their Budget, Programme for Government and investment strategy, which is a remarkable achievement. I pay tribute to all of my ministerial colleagues, including those from the SDLP, the Ulster Unionist Party and the DUP, for the good work that they have contributed towards bringing us to this position.

The Programme for Government and the investment strategy offer: a good future for everyone, North, South, east and west; thousands of new jobs; new schools and hospitals; new roads; better public transport; better support for farmers and rural communities; and better support for business. The Executive are determined to make a difference. We will not be satisfied unless we produce results that far supersede everything that has happened in the past.

Mr Ford: I thank the Ministers for their statement. The deputy First Minister has urged the House to look for the positives in the Programme for Government and the investment strategy. I have tried to do that, but there is little to be positive about in those fairly thin documents.

I remember when the previous Programme for Government was presented to the House. I criticised it for its failure to take community relations seriously, but at least it contained a reference to — and a commitment on — that issue. This draft Programme for Government contains nothing on that matter except a passing reference by the First Minister and the deputy First Minister. Is a weak statement about promoting tolerance not completely inadequate when one considers the community-relations problems that we face? Why is there no objective to implement the shared future action plan alongside the racial equality action plan, if the Executive are serious about making a difference in solving the problems that we face?

The First Minister: The honourable Member either needs a new pair of glasses or a new earpiece. I remind him about the inward-investment commitments, which

promise to create over 6,500 jobs by 2011. Is that not positive? Is the commitment to halve the private-sector productivity gap with the UK by 2015 not new and concrete? There are commitments to increase the number of tourists who visit Northern Ireland each year to 2.5 million, and tourism revenue to £520 million; to reduce child poverty by 50%; to ensure that every child leaves school with a level of literacy and numeracy that will, at least, equip them for work and life; and to make record investment of £5.6 billion in infrastructure during the next three years. I could continue. I deeply regret that the honourable gentleman has neither listened to nor read the commitments that have been made. *[Interruption.]*

Mr Speaker: Order. I remind Members that they are not permitted to make an intervention from a sedentary position.

Mr Hamilton: I congratulate the First Minister and the deputy First Minister on the draft Programme for Government, which was unanimously agreed by all parties in the Executive. I welcome the centrality of economic development in the draft Programme for Government, which was glaringly missing from the previous programme. That fact has not been lost on anyone in the House or beyond; except, perhaps, Mr Durkan. It is essential that economic prosperity benefits everyone in Northern Ireland. What priority have the Executive given to the promotion of economic growth in all areas of Northern Ireland?

The deputy First Minister: I thank the Member for his question. The Executive have recognised that, during recent years, investment in business and industry has tended to focus on the greater Belfast area. A key aim of the Programme for Government and the investment strategy is to promote and facilitate economic growth and social progress everywhere. In particular, the Executive are determined that investment in networks and roads infrastructure will increase the attractiveness of the wider region as a destination for business investment and will enhance the competitiveness of businesses that are based outside the greater Belfast area.

Like other Members, I am somewhat surprised at the negativity of some Members. Recently, the Executive have been criticised for not taking decisions.

Today, we have taken £18 billion-worth of decisions that will address the needs of our society, and our people, over the course of the next 10 years. That is rapid progress.

Ms Anderson: Go raibh maith agat. I, too, thank the First Minister and the deputy First Minister for their statements. Will the First Minister confirm that the Executive's collective decision to mainstream the equality agenda, Section 75 duties, and the equality impact assessment process into all strategic-level Executive functions — including the draft Programme for

Government and the draft Budget — is now a demonstration that the delivery of equality and social justice can, and should be, the central premise for governmental spending?

The First Minister: I thank the lady for what she has said. The equality impact assessment of the draft Programme for Government, and accompanying PSAs, is in accordance with our statutory duties, which we will carry out to the full.

Lord Morrow: I draw Member's attention to page seven of this hefty document, where it states that there will be:

“free public transport during 2008 to everyone aged 60 and over”

I am sorry that Mr Ford has left the Chamber. I have no doubt that — *[Laughter.]*

Mr S Wilson: He has been banished to the Back Benches for being bad.

Lord Morrow: I see that he is in the Chamber. Since he is such a naysayer and a begrudger, I ask him to take note of that item in the document. Will the First Minister and deputy First Minister tell us, in more detail, the exact extent of the draft Programme for Government that they intend to implement? The programme will be greatly welcomed by the community.

The deputy First Minister: I agree that it is an excellent announcement that should be welcomed by all right-thinking people. Reducing the age at which people can avail of free transport from 65 to 60 means that women who reach retirement age will no longer find themselves being penalised unnecessarily. This is only one of a series of measures to improve public transport. We will also be introducing concessionary fares on rural services and increasing public transport provision for rural areas and rural communities.

Mr B McCrea: The deputy First Minister and the First Minister started off by asking that we should, perhaps, have some words of comfort. Those of you who are familiar with the television programme ‘Yes Prime Minister’ will be aware that Sir Humphrey used the famous phrase: “a courageous speech, Minister.”

A question that is closer to hand — and perhaps in line with the points raised about the planning process — is that talk is cheap but it takes money to buy land. What we are hearing are aspirations. Will the First Minister, with his laudable aims to increase economic participation from 70% to 75%, tell me exactly how many people that represents? How will that figure compare with the figure of 140,000 that Pricewaterhouse-Coopers said that we needed to reach over the next 10 years? How does the First Minister intend to achieve that figure if, as stated in his document, he is only going to create 6,500 jobs?

The First Minister: This is not an Official Unionist document, which would be published and then be forgotten. The 'Draft Programme for Government 2008-2011' will not be forgotten, for we will carry out the measures set out in the document. The Member should look carefully at the overarching aim, which is to build a peaceful, fair and prosperous society in Northern Ireland, with respect for the rule of law. That is where we hang our colours in today's debate. If the honourable gentleman does not like what is done, the process will move on and he will be left behind.

Mr B McCrea: So, you do not have an answer.

The Chairperson of the Committee for the Environment (Mr McGlone): Go raibh maith agat, a Cheann Comhairle. I have two questions. First, what measures or procedures will be put in place to deliver, monitor and oversee the sustainable development strategy and ensure that it is delivered on a cross-departmental basis?

11.45 am

I welcome the commitment today to delivering an effective Planning Service by 2011. There was mention of the delivery of draft and full area plans by 2011. However, how will those plans be delivered, given that the Planning Appeals Commission, which is involved in public inquiries into those plans, is under severe pressure as it stands? In fact, this morning I was told that an individual appellant can wait as long as three years for a decision. I would like clarification of how the expectations that were created today will be met and delivered on.

The deputy First Minister: Sustainable development is built on three pillars: economic growth, social progress and environmental protection. As our Programme for Government states, sustainability will be a key cross-cutting theme that will underpin our approach to delivering our priorities. Building a sustainable future will be a key requirement for all our economic, social and environmental policies and programmes. We believe that sustainable development is not simply about resources; it is about changing the culture and doing things differently.

As regards planning, we all know and understand that workload pressures have been building for some time. Over the past five years, the overall trend in the volume of appeal cases has turned sharply upwards. Figures show that appeal intake in 2006-07 has increased by over 600% since 2002-03. There are a number of reasons for that. There are increasing demands in relation to major planning applications and non-determination appeals, which are cases taken to the Planning Appeals Commission because the Planning Service and DOE have failed to reach a decision within the permitted time.

The commission is also required to take on the public inquiry work associated with the DOE's development plan programme, as well as a range of other non-planning-related appellate functions that have been assigned to it over the years. Planning Policy Statement 14 (PPS 14), which was announced last year and which introduced a presumption against development in the countryside, has also contributed to the surge in appeal applications.

We recognise that the planning system is a key mechanism for delivering sustainable development and for enabling the delivery of jobs, homes, better transport and lively communities. We are committed to securing the additional resources to tackle the backlog. In recognition of the backlog, we supported a case made by the Planning Appeals Commission for additional resources and submitted a bid. I accept that this issue represents a real challenge, and it is a challenge to which we must rise.

Mr McLaughlin: Go raibh maith agat, a Cheann Comhairle. I welcome the statement by the First Minister and deputy First Minister. This draft Programme for Government is a positive development and an improvement on the first Programme for Government in so far as we have prioritised goals that have attached timetables. All Members, not just those in the Executive, have a responsibility to match that programme with delivery, and people are entitled to judge us on our performance.

My question is about the priority entitled 'Invest to build our infrastructure' and procurement policy. Will the First Minister and deputy First Minister assure the House that local companies will not find themselves in difficulty or at a disadvantage when competing to provide services to the Executive as part of the delivery of the programme?

The First Minister: I can give the honourable Member the assurance that local companies will have every opportunity to participate, in all fairness, in that development. I would like to see the people of Northern Ireland engaged in such work. As the Member knows well, laws have to be observed with regard to procurement, but I give him assurance on that matter today.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson): I very much regret that the Minister of Health, Social Services and Public Safety is absent from the Chamber. It shows little respect for the draft Programme for Government.

I welcome the statement on the draft Programme for Government and the investment strategy for Northern Ireland.

I am reminded of the words of Franklin D Roosevelt:

"The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have too little."

What reassurance can the deputy First Minister offer that issues such as the prevention of illness and the promotion of a healthy lifestyle will now be addressed in a much more holistic manner through a Programme for Government that is fully meshed and dovetails with the Budget priorities to ensure the best possible outcomes for our people?

The deputy First Minister: In formulating the Programme for Government, we identified health as a major issue. Huge challenges face us as we move forward. I have no doubt that the ambitious targets that we have set ourselves can be reached, given the will of the Assembly and the ability of the Executive to deliver. We are moving forward with a joined-up approach, which will see all Departments — not least the Department of Health, Social Services and Public Safety — recognise the huge responsibilities that we have to improve the health and well-being of all our people.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I congratulate not only the First Minister and the deputy First Minister but the whole Executive on introducing a draft Programme for Government for consultation with the general public. Although some Members are looking through the programme for words about a shared future, etc, the best way to advance a shared future is through the example shown by the Executive in bringing forward a draft Programme for Government for the future, instead of some fluffy document that inevitably ends up in the employment of serving and former members of the Alliance Party.

In their statement, the First Minister and deputy First Minister said that the restraints on fiscal policy meant that the Programme for Government has not been as adventurous as it could have been. What restraints has a lack of fiscal independence placed on the Programme for Government?

The First Minister: I am sure that the honourable gentleman will be in the Chamber when the Minister of Finance and Personnel makes his statement, which will bring even more comfort to him.

Continual pressure will be exerted on the Westminster authorities to do what is right for the people of this Province.

As the Member is well aware, there are certain military installations that are not going to be used in the future. I have demanded and will continue to demand that the money from the sale of those properties is not taken out of the country.

Some Members: Hear, hear.

Mr Storey: In welcoming the announcement of the Programme for Government, I am somewhat amused at the emergence of Pontius Pilate politics from Members who had previously lectured us about collective responsibility and governance. Now it seems to suit

their political agenda to wash their hands of any responsibility, bearing in mind that their Ministers did not table any amendments in the Executive. I would appreciate it if the deputy First Minister would indicate the thinking behind the choice of the strategic priorities that are set out in the Programme for Government.

The deputy First Minister: We have aimed to produce a Programme for Government that addresses the big challenges facing us all. Our overarching aim is to build a peaceful, fair and prosperous society in which everyone can enjoy a better quality of life, now and in the future. In support of that aim, five emerging strategic priorities have been identified: growing a dynamic and innovative economy; promoting tolerance, inclusion and health and well-being; protecting and enhancing our environment and natural resources; investing to build our infrastructure; and delivering modern high-quality and efficient public services.

Growing the economy will be our top priority over the period of this Programme for Government. However, the priorities are all interconnected, and we recognise that they cannot be achieved in isolation. For example, we cannot grow the economy in isolation from determined efforts to transform our society and enhance our environment. Those priorities will be supported by our key goals and public service agreements, which will help to ensure that the Executive can focus on the key issues and outcomes to which we are all committed.

Mr Elliott: I thank the First Minister and deputy First Minister for bringing forward the draft consultation. Will they give the House an assurance that, following the consultation period, if any specific proposals come forward that Committees believe should be included in the priorities, the Executive will give them due consideration and include them?

The First Minister: I can assure the Member absolutely that that will take place.

Mr O'Loan: I thank the Ministers for their statement. The programme contains much detail, and it will require analysis, scrutiny and public consultation. The SDLP will be heavily involved in that. The content is significant, and our party has no objection to our good ideas being built into the programme — as indeed they are.

The First Minister described the announcement as “momentous”. We will know that it is momentous when it is delivered — that is the challenge for OFMDFM. The programme contains ambitious plans, and we want to see them happen. Rather than seeing today's announcement as momentous, the Assembly will breathe a heavy sigh of relief that, at last, real business and work is coming before it. It has been an arid time here.

The overarching aim of the programme is for a peaceful, fair and prosperous society, and nothing is more important than that. The deputy First Minister referred to truly new management and to setting aside

sectional interest. Those are also good sentiments. However, much of the content of debates in the Chamber, and the manner in which those have been debated, has been contradictory.

Mr Speaker: Order. I ask the Member to come to his question now.

Mr O'Loan: Much of that divisive content has come from the two parties that are represented in OFMDFM. What contribution will those parties make to ensure that the matters brought forward, and the manner in which those are debated, make a genuine commitment to a shared society?

The deputy First Minister: It never ceases to amaze me how out of touch some members of the SDLP are with the mood of public opinion. It is quite clear that the parties that lead the Executive enjoy overwhelming support from the community, as was clearly identified in the outcome of the Assembly elections. *[Interruption.]*

Mr Speaker: Order.

The deputy First Minister: People are delighted at the progress that has been made over the course of the last four or five months. After today's announcement, people will be even more delighted that we have taken, in the course of our deliberations today, huge decisions that affect their lives. Those decisions are taken for the betterment of our people, not to worsen the conditions under which people live. The time has come for some Members to waken up and smell the coffee. They must waken up and recognise that people are really pleased and delighted at the efforts that are being made to move forward to put in place a real future, not only for themselves, but for their children and their children's children.

Mr G Robinson: I welcome the Programme for Government. How have the First Minister and deputy First Minister decided on the key announcements and key goals?

The First Minister: We are determined to make a real difference. We will not be satisfied unless we produce results that far supersede all that has happened over recent decades in Northern Ireland. Our goals and key announcements are ambitious, and rightly so. They show how we have listened to our people, and how we will drive forward the type of change that is long overdue in our society. I trust that when the Committees deal with the issues, and we take our consultation from all outside authorities, we will be able to speed the Programme for Government on its way as quickly as possible.

12.00 noon

Ms McGill: Go raibh maith agat, a Cheann Comhairle. I thank the First Minister and the deputy First Minister for their statement, and I welcome the many positives that it includes. How does the draft

investment strategy address regional imbalance, particularly west of the Bann?

The deputy First Minister: We sought to identify balanced regional development as a key element in the cross-cutting strategic objective of the draft investment strategy. In seeking to prioritise more balanced regional development, there will be a particular focus on cross-border links and on developing infrastructure in the border areas.

The development and upgrade of transport links along the Dublin/Belfast corridor will ensure that it forms a major axis for economic development on the island. In the north-west and Donegal, we will tackle regional disparities by further improving road links, enhancing the capacity and resilience of energy support networks, strengthening telecommunications infrastructure and developing the City of Derry Airport.

I also highlight the investment in health care: there will be a developing network of health and care centres across the region and new hospital facilities in the south-west. Schools will also receive a boost, which will benefit communities across the region.

The list goes on. We have taken important steps in the right direction. During the public consultation that is being launched today, I look forward to hearing about what more should be done with the resources that we have available.

Mrs Long: Before asking my question, I want to reassure Members that I have read all 17 pages of the document. I noticed that when Lord Morrow referred to a "hefty document", he was holding a 25-page speech, not the 17-page document.

In the document, I cannot find any substantive reference to many issues, such as a shared future, good relations, community relations, post-primary transfer, sustainable schools policy, free personal care or the environmental protection agency — amongst others. How long do the First Minister and deputy First Minister intend to dine out on the feel-good factor created on 8 May 2007? When will they back it up with substantive action to deliver on a shared future and make that hope a reality?

Some Members: Hear, hear.

The First Minister: I am sure that the honourable lady enjoys dining out herself.

She should read from page 3 of the document:

"our approach to delivering our priorities will be underpinned by the two cross-cutting key themes:

A better future: fairness, inclusion and equality of opportunity will be watchwords for all our policies and programmes.

This places an overarching responsibility on the Executive to proactively change the existing patterns of social disadvantage by using increased prosperity and economic growth to tackle ongoing priority."

I am sorry that the lady does not read more carefully before making such statements.

Some Members: Hear, hear.

Mr Speaker: Order.

Mr Buchanan: I too welcome the Programme for Government, particularly its commitment to supporting businesses and helping the entire business and enterprise culture to flourish. How do the Executive propose to support local businesses across Northern Ireland, particularly the small to medium-sized enterprises west of the Bann, which are the life and soul of the rural economy?

The deputy First Minister: The Executive are totally committed to supporting local businesses. There is a long history of business ingenuity and leadership. We are determined to create the conditions that will unlock potential and to assist local businesses to succeed in an ever more competitive global market. That commitment is reflected in the priority that we have attached to developing the skills base and investing in infrastructure

The Programme for Government also includes specific commitments to supporting local businesses to enter the export market and increasing expenditure on research and development. As one of the elected representatives from west of the Bann, and the Speaker is another, I assure the Member that, as we move forward, the Executive are committed to ensuring that everyone gets a fair share.

Ms Ni Chuilín: Go raibh maith agat, a Cheann Comhairle. My question on the promotion of equality has been answered.

Mr Craig: I also welcome the draft Programme for Government. Given the commitments in the programme to reform the planning process, can the Assembly be assured that, as part of that reform, private developers will be forced to tackle the social housing problem that this Government face?

The First Minister: Yes; I can say that in the Programme for Government, we have made an undertaking that there will be 10,000 homes built in order to address the very grave situation that we have. We all acknowledge its gravity, and we have a good foundation on which to build.

Mr Gallagher: It is good to have the Executive's priorities set out, and they appear to be framed by an overall aim of building a fair and prosperous society. The message is coming through loud and clear that there is to be massive investment in infrastructure in Belfast and in Northern Ireland Railways. I am sure that there are possible justifications for that, but given the neglect of infrastructure in the west, particularly in Fermanagh and Tyrone, where we rely on the roads network, is the west in that frame? There is to be a

move to second-generation broadband by 2011, but parts of the west, despite claims to the contrary, still do not have first-generation broadband. May I have a commitment that that infrastructural problem will also be addressed?

The deputy First Minister: We refer to that issue and the need to ensure that broadband is accessible to everyone. There are plans to do that specifically in the Programme for Government. On the situation west of the Bann, we all accept that, over the course of the years, many elected representatives have commented on the state of the roads in different counties. No doubt, when the Minister for Regional Development makes his contribution to that debate, he will outline his plans to ensure that all areas get their fair share.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I want, first of all, to put on record our appreciation that OFMDFM recognises that the environment is an important asset and that it is to be protected and enhanced through the investment strategy. Will the First Minister assure the House that that will remain a key priority for the Executive?

The First Minister: I refer the honourable Member to the statement. We will strengthen the protection of key areas. That will apply to all parts of the report; everything will be strengthened in the way that it should be, with fair play for everyone in the community.

Mr Spratt: I too thank the First Minister and deputy First Minister for this morning's statement. How will the overarching aim to build a peaceful, fair and prosperous society in Northern Ireland, with respect for the rule of law, guide the work of the Executive over the next three years?

The deputy First Minister: It is a very positive development that all Executive Ministers have agreed that overarching aim. It sets out the type of future that we all want to see here, and I am proud that, as an Executive, we have agreed on the aim of building a peaceful, fair and prosperous society, with respect for the rule of law. That represents huge progress for all of us. I want the Assembly to understand that every one of the priorities and key goals in the Programme for Government will contribute to the achievement of that aim. That is how it will guide the Executive's work.

Mr Brady: Go raibh maith agat, a Cheann Comhairle. I welcome free public transport's being extended in 2008 to those who are aged 60 and over.

A Member: That is a matter of self-interest.

Mr Brady: It will be a matter of self-interest shortly.

What other measures that will benefit older people are contained in the draft Programme for Government?

The First Minister: The draft programme rests on protecting all sections of the community, especially

those who, in the past, have not done so well. No one will be left out; everyone who has a right to be included under our propositions will be included. We could not say that we want a fair and just society in which the rule of law is acknowledged, but then not bring that to everyone. Therefore, we are pledged to bring that society to all those who rightfully should benefit from certain aspects of life that they do not currently have.

Mr S Wilson: I also welcome the announcement of the draft Programme for Government. I noticed that the First Minister and deputy First Minister talk about investment in schools. Direct rule Ministers, and, indeed, the previous Executive — which Mr Durkan seems to think did such an excellent job in investing in schools — delayed the schools building programme. That has meant that work on some school buildings that was announced five years ago has not even started. Given that, will the deputy First Minister tell us what plans have been included in the draft Programme for Government to ensure that finance, but, more importantly, procurement are such that the new building programme will not face the same delays?

Secondly, will the deputy First Minister tell the House whether the final Programme for Government will include a clear date for the implementation of the new transfer arrangements from primary to post-primary school? That matter is causing grave concern among teachers and parents.

The deputy First Minister: All those who have been involved in the education world in recent years understand some of the difficulties that the Member outlined. However, it is fair to say that committing £3.5 billion to our schools and youth services clearly represents a massive investment in schools. The reason for that investment is that schools are at the heart of our communities. Our aim is to modernise substantially the schools estate in order to align better the links between further education, the needs of the population, and the skills that we will require in the future. Therefore, we will proceed with major works on over 100 schools between 2008 and 2011.

Transfer mechanisms are a matter for the Department of Education in consultation with the Committee for Education and all the different interest groups. We all know and understand that the transfer system is a vexed issue; however, it is not beyond us. Here we are, after four or five months in Government, having completed a massive amount of work to bring the draft Programme for Government to the Assembly today. If we can do that, I think that we can do nearly anything.

Mr McCallister: The deputy First Minister has stated that he believes in working together to harness all the talents that exist in our society. Does that apply to all Members of the House? Will he guarantee that we will all be represented and that he will not merely continue

to work ever more closely only with his Rt Hon friend the First Minister to achieve a more inclusive House?

The First Minister: I would just like to say to the Member: better luck next time. *[Laughter.]*

Mrs M Bradley: Will the Executive confirm that children and young people remain a priority for the Government? If so, how have they evidenced that in the draft Budget? What overall level of investment are the Executive making in early intervention and prevention services for children and young people?

The deputy First Minister: The Executive's overarching aim in the draft Programme for Government is, as I have already said, to build a peaceful, just and prosperous society in which everyone, including our children, can enjoy a better quality of life, now and in years to come. We recognise that action is required to ensure that all our children receive the support that they need to achieve their full potential, become more independent, and grow into well-adjusted adults who can take their place in the community.

12.15 pm

The needs of children are taken into account in our Programme for Government. In the PSA framework, the Executive have outlined clear commitments to eradicate child poverty, improve educational outcomes — particularly for the most disadvantaged children, and to ensure that all our children are cared for, live in safety, and are protected from abuse.

Mr Newton: I join other Members on this side of the House in welcoming this morning's statements. In response to the remarks of the Alliance Party Member for East Belfast: yes; there is a feel-good factor, certainly on this side of the Chamber. That comes from enjoying the confidence of the electorate, as is evidenced by the growth of our party.

Some Members: Hear, hear.

Mr Newton: I particularly welcome the underpinning of the political process through investment in the economy. That is essential, particularly in preparing the way for more jobs, including the provision of skills training. With that in mind, how will the investment strategy benefit the Northern Ireland tourism sector's drive for more visitors to the Province, which will increase the potential for job creation and prosperity?

The First Minister: I thank my honourable friend for his words. We will provide investment to enhance tourism infrastructure and will work with key partners to continue to advance the implementation of our tourism signature projects. We will also invest in our rural areas, which offer real opportunities for growth in job creation and tourism.

Mr Burns: I welcome the Programme for Government. Do the plans for the rapid-transport system for

the greater Belfast area include any proposals to reopen the Lisburn to Antrim railway line and to build a new railway station at Belfast International Airport to enhance our tourism industry?

The deputy First Minister: The Minister for Regional Development will outline his view of how those matters should be taken forward.

Mr I McCrea: I also welcome this morning's announcement of the Programme for Government. Will the First Minister inform the House how the Executive will ensure that the proposed overhaul of the Planning Service contributes to economic growth?

The First Minister: A key objective of the proposed overhaul of the planning system will be to examine how we can speed up the decision-making process and create more certainty. That is essential if we are to be successful in promoting business investment. Moreover, we are giving a commitment that, from today, decisions will be made on all large-scale investment planning proposals within six months, provided that a pre-application consultation has taken place. That is the current position.

Dr Farry: The Programme for Government of the previous Executive, despite all their faults, ran to 144 pages. The current Programme for Government runs to 17 pages. Either the Executive believe that all the problems that face Northern Ireland have been solved, or they are condemning Northern Ireland to three wasted years. The Executive made great play of the fact that they have had only since May to prepare that document. Did the Northern Ireland Office not fund the appointment of special advisers since January, specifically for the purpose of preparing the Programme for Government? Will the Northern Ireland Office be getting that money back?

The deputy First Minister: That is a ridiculous question.

In formulating this Programme for Government, the Executive have adopted a strategic and joined-up approach, which will be welcomed overwhelmingly by everyone in our society.

Mr A Maginness: Like others, I welcome this draft document, and we do take hope from it. However, I emphasise that we do not have to buy the hype contained in the document. As regards hope, there are 36,000 families on the waiting list for houses in Northern Ireland. The document makes reference to investment, but will the First Minister and deputy First Minister assure me, and the people who are waiting for houses, that the finance for those houses will be made available to the Minister for Social Development?

The First Minister: It is all very well to be critical, but the Member's party, after all, was associated with the last Executive, and they did not do very much.

Their record was despicable, and those in glass houses should not throw stones.

We have made it a point that our Programme for Government and investment strategy are bound to be good news for the people of Northern Ireland. We are going to tackle the issues: North, South, east and west. There will be thousands of new jobs, new schools, new hospitals, new roads, better public transport, better support for our farmers and rural communities, and better support for business. What more does the Member want? We are determined to produce the goods, and I look forward to the day when he will be able to enjoy the plum pudding on his plate.

Mr T Clarke: I join others in welcoming the statement. Following almost 40 years of conflict, my question is about victims. What priority are the Executive giving to the needs of victims and their families, the vast majority of whom were brought about by the party opposite?

The deputy First Minister: We recognise the need to support victims and survivors as we seek to move forward and build a better future for all our people. That is clearly reflected in the PSA framework and in our commitment to develop a new and comprehensive strategy and approach to victims and survivors. More details will be made available in due course.

The Government are committed to making a real difference to the lives of victims and survivors, and we made a public statement on 8 October concerning the appointment of a new Commissioner for Victims and Survivors. The post has been re-advertised, and we hope that we can announce the appointment before Christmas. Re-advertising the post against the background of a fully-functioning Executive will bring forward a greater number of candidates. We will bring forward detailed proposals shortly that will represent a comprehensive approach to victims and survivors. In doing so, we will be focusing on three important areas: services and practical help for victims; dealing with the legacy of the past; and building a better future.

Draft Budget 2008-2011

Mr Speaker: I have received notice from the Minister of Finance and Personnel that he wishes to make a statement on the draft Budget 2008-2011.

The Minister of Finance and Personnel (Mr P Robinson): I am pleased to present the new Executive's first draft Budget. Lest anyone tuning in is beginning to wonder — it should be pointed out that that is a four-party Executive. I am sure that all four parties in the Executive, who unanimously agreed the Programme for Government that has already been outlined, will want to promote Northern Ireland rather than talk it down.

At the outset, I thank my officials for the assistance that they have given me in the preparation of the draft Budget. I also thank the Ministers and officials from all the other Departments, as they have assisted remarkably over recent weeks and months.

The draft Budget marks a clear break with the past and a new direction for the future. The days of direct rule Budgets with Labour Party priorities are over. This draft Budget comes with the proud stamp: "Made in Northern Ireland". The primary focus on economic growth is an indication of our long-term commitment to build a better future for the people of Northern Ireland. At a time when the public expects greater public services, this is a Budget that demands more from Government and more for the people. Now is the time for Government to respond and for devolution to deliver.

For almost 10 years, we have seen increases in public spending in Northern Ireland. Now it is for the Executive to set a course that will meet the needs of the people, not simply by spending more, but by ensuring that we get value for money for every pound that we spend. Our future success lies in our hands, and we must seize the opportunities that are before us. This is the first draft Budget of a new era, and it must lay the foundations for a better future for everyone in Northern Ireland.

The First Minister and the deputy First Minister have set out the Executive's proposals for a Programme for Government for the next three years. They have also provided a draft investment strategy that will define our priorities for investment over the next decade. Those documents set the context for the public expenditure proposals that the Executive also agreed on 23 October to submit to the Assembly and to the public for consultation. The draft Budget document published today provides details of proposed expenditure allocations to Departments for the next three years. Those are the resources that they will need and use to deliver the priorities and targets that are highlighted in the draft Programme for Government and in its annexes.

The last occasion on which a Finance Minister in a devolved Administration confirmed public spending plans for Northern Ireland was in December 2001,

when Mark Durkan announced plans for 2002-03. On that occasion, he announced plans for current and capital expenditure totalling just over £6 billion. The spending proposals that I will announce today will total almost £10 billion next year, growing to almost £11 billion by 2010-11.

Some Members: Hear, hear.

Mr P Robinson: Those figures reflect the growth in public spending that has occurred in recent years. Our current spending will be over 28% higher in real terms than it was in 2002. For capital investment, the increase has been even more dramatic, with a real terms increase of over 60% in annual public investment in new infrastructure in 2010-11, compared to seven years ago. We now have more money to spend in real terms than ever before. However, we also face many new demands on those resources.

During recent discussions with Executive Ministers on the draft Budget, they highlighted the real pressures that they face in maintaining and improving the public services for which they are responsible. However, the challenge that we face here is no different from the challenge that confronts every democratic Government around the world. Expectations of public services are rising everywhere, but people do not want to pay more tax than is necessary, and they certainly do not want the taxes that they do pay to be wasted on inefficiency or on programmes whose purpose and value are no longer relevant.

The First Minister highlighted the Executive's wish to focus on a small number of key priorities and goals. That is the right approach, if we are going to make differences that matter to the community. That is the direction in which the Assembly should move.

It is also the right approach to take when we consider how best to allocate the use of public expenditure. Consequently, that means that we have taken some difficult decisions on how best to allocate resources across Departments. However, I believe that the draft Budget proposals, agreed by the Executive for consultation, are fully consistent with the key priorities as set out in the draft Programme for Government.

12.30 pm

I will now set out some of the basic facts about the amounts of money that will be available to us over the next three years. Greater detail is provided in the draft Budget document published today; Members and Committees will want to examine that document further over the coming weeks. Our main source of funding for public services is the Northern Ireland block grant, which will be increased by the Treasury over the next three years on the basis of changes in comparable spending programmes in England, using the Barnett formula.

The Chancellor of the Exchequer announced the outcome of the comprehensive spending review on 9 October 2007. As part of that review, he announced that after the application of the Barnett formula, the Northern Ireland departmental expenditure limit would increase in real terms by an average of 1·7% per annum over the next three years. I must, however, clarify that Treasury figure by highlighting that it is predicated on a reduced baseline figure for Northern Ireland that emerged just before the comprehensive spending review announcement, and after adjustments were made to baselines of some Whitehall Departments, particularly the Department of Health. The Treasury made similar adjustments to baselines in Scotland and Wales.

After taking account of those adjustments, a more accurate figure for the average real-term growth in expenditure in Northern Ireland over the next three years is an average of 1·2% per annum. However, after that adjustment, our total resources over the next three years will be £443 million more than the position we had reached in our negotiations with the Chancellor just before devolution in May.

In total, our departmental expenditure limit will increase by £254 million, £622 million and £1·661 billion over the next three years. I want to make it clear that we did not apply any reduction to our health baseline to match the reduction made to the Department of Health in England. In addition to those amounts, we will continue to have access to borrowing for investment in infrastructure. The amounts available to us will be £260 million, £246 million and £200 million over the next three years, to include amounts of available borrowing not drawn down in previous years. This borrowing is a valuable source of additional spending power for infrastructure investment.

Thanks to the negotiations leading up to restoration, it is now also borrowing without strings attached. The era of taxation for its own sake is over. The agreement that the previous Executive negotiated with the Treasury included a punitive clause that required us to increase domestic rates each year, year-on-year, above the average council tax increases in Great Britain. That had to be done whether or not we needed the extra revenue, and led to regional rate increases of up to 19% per annum. What householder does not remember that bill falling on the mat? The removal of that linkage was a key priority in our negotiations with the Treasury, and I am pleased that we succeeded in having that imposition removed by the Chancellor earlier this year. Instead of our regional rate effectively being set by local government in England, we are now free to make our own decisions on how much we must raise from domestic rates.

An additional source of spending power for the Executive and the Assembly over the next three years will be our capacity to draw down funds under the

end-year flexibility arrangements. I stress that those sums reflect the amounts of money that were left unspent in previous years, and, in that sense, is not new money. However, it is money that is now tightly controlled by the Treasury. By gaining access to those funds now, on a one-off basis, we can address some of the costs facing Departments as they move to restructure and reform public services over the next few years.

The Chancellor of the Exchequer and the Chief Secretary to the Treasury previously restricted our access to those funds. Members will recall the position that we reached with the Chancellor in May — a position that I regarded as unfinished business. I am pleased to report to the Assembly that after further negotiations with the Chief Secretary to the Treasury, I have secured access to our full stock of end-year flexibility over the next three years. That represents an addition of some £295 million over the next three years, which is greater than the position that we reached in our negotiations with the Chancellor in May. I have also been able to secure the significant front-loading of those resources to enable us to address the costs that Departments will face as we move to restructure and reform the way in which we organise and deliver public services.

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

Finance Ministers in the previous Executive introduced the use of planned over-commitment to manage the implications of rapid growth in public expenditure and to reduce year-end underspends. The use of planned over-commitment continued under direct rule. We have reviewed its future under the new Executive and concluded that although it will still have some use, the size of the over-commitment must be reduced to below the levels that we inherited from direct-rule Ministers. That is essential if the Executive are to have greater flexibility to respond to the new and unexpected financial pressures that can arise in the course of any financial year. Therefore, the draft Budget is based on a planning assumption that the level of over-commitment will be reduced to £100 million in 2008-09 and further reduced to £80 million and £60 million over the following two years.

Taking account of those funding sources, the total current expenditure that is available for allocation by the Executive across the three years is £8·28 billion, £8·55 billion, and £8·93 billion. In addition, public expenditure allocations of £1·64 billion, £1·5 billion, and £1·83 billion are available for investment in infrastructure over the same three years. In addition to those amounts — and under the direct control of the Executive — we will receive funding to support social security and other expenditure that is managed directly by the Treasury. If those sums are added to the above figures, we will receive total public expenditure allocations that exceed £19·7 billion by 2010-11.

Before explaining how our proposed financial allocations have been deployed, I will say a few words about how we will work to make our public services more efficient. The outcome of the comprehensive spending review (CSR) has confirmed that the years of rapid growth in public spending across the United Kingdom are over. We can look forward to continuing real increases in public spending over the next few years, but at a much reduced rate of growth. That means that we must place a renewed emphasis on ensuring that we deliver maximum value for money from every penny that we spend on behalf of the people of Northern Ireland. Our public services will suffer if we do not take that challenge seriously. The formula is simple: if we free up resources through greater efficiency, they will remain in Northern Ireland for reinvestment in improving front-line services. However, if we allow inefficiencies to remain unchallenged, the people who will suffer will be the young, the old, and the vulnerable in every community across Northern Ireland. The only people who benefit from public-services inefficiencies are those who have a vested interest in resisting change and maintaining a status quo with which they have grown comfortable.

I want to serve notice today to the Assembly and to the wider community that I am determined to take the drive for greater efficiency in public services to a new level. I am not prepared to simply stand back and leave unchallenged the countless instances — large and small — across all our public bodies in which taxpayers' money is being wasted on overstaffing, absenteeism, poor working practices, and a resistance to radical change in the way in which we go about delivering services. We owe that not only to those who use and need our public services, but to the many public servants who want changes to and improvements in how they can do their jobs.

I have also asked my officials to examine the recent report published on the cost of division, to see whether there is any scope to free up resources. Their work is not yet complete, but the indications are that the areas in which there would be most potential to make savings are also those areas where there is little realistic prospect of radical change in the short term.

Clearly, we can make savings with different arrangements to educate our children, and new arrangements for local government could free up money, but it seems unlikely that those reforms will deliver significant savings in the CSR period. However, that does not mean that we should not start the journey now. We have made a giant political step forward, and we must examine the benefits that can flow from the resultant growth in community stability.

Other costs associated with the division in our society fall to policing and security budgets, which, of course, fall outside the scope of the present Budget.

I have already announced my intention to create a new high-level public sector efficiency task force — the performance and efficiency delivery unit (PEDU) — to examine the scope for generating new cash-releasing efficiencies and improving delivery and performance across the public sector. The unit's membership will be limited to a few respected individuals with a strong track record in overseeing successful organisational change, and it will be supported by a small number of staff. The unit will include individuals from outside the public sector, and it must be prepared to challenge even the most widely accepted assumptions about how we go about the business of delivering public services.

The Executive have already agreed that Departments and public bodies here should deliver cash-releasing savings of 3% a year over the next three years, including a 5% per annum real-terms reduction in administration costs. That will produce an additional £790 million by 2010-11 for reinvestment in our public services. However, I believe that we can go further than that in finding ways to free up more resources for reinvestment in public services.

Between now and my announcement of the final Budget in January 2008, I want to finalise and publish details of how Departments will deliver on their efficiency programmes. I also want to examine the scope for delivering even higher levels of efficiency beyond the 3% a year targets already set —

Mr Deputy Speaker: A mobile phone is interrupting the audio recording. I apologise, Minister.

Mr P Robinson: I will announce new targets for reductions in the size of the Civil Service over the next three years. What we are going to do to release funds from current expenditure for better use, we also intend to do to increase funds for capital investment. We want to maximise the opportunity presented in the Chancellor of the Exchequer's financial package to retain receipts from asset disposals for reinvestment in our local infrastructure.

To that end, we have set up a task force to identify further opportunities to dispose of surplus and under-utilised assets. We believe that with a professional and focused approach to asset realisation and reuse, we can plan for even higher levels of investment in new infrastructure beyond the figures in the draft investment strategy published today. The capital realisation task force has been asked to report its initial findings to the Executive by December so that they can be incorporated into the final Budget and investment strategy to be published in January. Therefore, a glance at departmental allocations will not reveal the full extent of the new Government brand. We are not content to simply accept the present resources at our disposal and dole

them out. We are actively and aggressively seeking to grow the pot.

Moreover, it is not simply the amount of funding each Department will enjoy that counts. The key to success will be the use to which those resources are put. The Executive intends to squeeze value out of every pound spent. That means cutting out waste; getting more for the same or more for less; doing things differently and better; challenging the worth of staid programmes; testing the way things are done; and reforming the public sector so that it delivers services of a kind and in a manner that people deserve.

12.45 pm

The Executive are committed to delivering the economic vision of an innovative, entrepreneurial, wealth-generating, export-orientated economy. In order to achieve that, we must ensure that policies are in place that will encourage private-sector growth and enterprise. For too long, the local private sector has been constrained by the dominant influence of the Northern Ireland public sector. Now is an opportune time to change the focus of economic policy.

We have the lowest unemployment rate of the UK regions, and employment growth is at unparalleled levels. Despite that favourable transformation in the labour market, there has been no material improvement in our relative prosperity. Indeed, our GVA (gross value added) per capita, when benchmarked against the UK average, has actually deteriorated in the past five years.

That is confirmation of the fact that we must change tack in economic development policy, and it is a warning that we cannot be complacent about the serious economic challenges that confront us. The focus should now be on creating better jobs — not just more jobs. We must encourage private-sector growth in sectors that deliver high-value employment. Although Invest NI and the Department of Enterprise, Trade and Investment (DETI) have a key role to play in that transformation, co-ordinated input will be required from many other stakeholders, inside and outside the public sector.

The private sector has signalled that it understands the nature of the challenge that it faces. The challenge for the Executive and the Assembly is to ensure the delivery of the infrastructure, skills and communication networks which are essential in order to raise regional productivity.

Particular emphasis will also be placed on ensuring that innovation funding promotes new and innovative ideas that can be turned into opportunities for wealth creation in the economy. There must be a co-ordinated, cross-departmental approach to the management and targeting of innovation funding sources, including the Chancellor's financial package, EU competitiveness

and employment programmes, and Irish Government support for collaborative research and development.

In highlighting the implications of the proposed budget allocations for Departments, I will not attempt to repeat the details that were published today in the draft Budget, and which, during the coming weeks, will be subjected to separate and detailed scrutiny by the Assembly's Committees.

In line with the priority given to economic growth, it is proposed that the reductions experienced by the Department of Enterprise, Trade and Investment in recent years be reversed. Over the Budget period, there will be average growth of 4.8% in the amount available to spend. That additional funding will be used to support Invest Northern Ireland's efforts to stimulate exports, promote higher value-added activity in firms that already operate in Northern Ireland, and attract high-quality foreign investment. That Budget proposal will also allow for increased investment in marketing Northern Ireland as a tourism destination, as well as visitor servicing and tourism signature projects.

Recognising our responsibility to minimise the impact of climate change, DETI will be able to provide support for sustainable energy projects and to meet the legal and consultancy costs of planned energy initiatives that promote a greater use of renewable energy sources.

The additional £87 million allocated in the draft Budget will enable the Department for Employment and Learning to complete its roll-out of the Pathways to Work scheme and support the introduction of the employment support allowance, which will enable people who suffer from ill health or a disability to return to work.

In order to underpin our commitment to promote a dynamic, innovative economy, a highly-skilled and flexible workforce must be created. An outcome of the draft Budget allocations will be that support will be provided to help 42,000 adult learners to achieve a recognised qualification in numeracy, literacy or ICT — or in all three. In addition, by 2010, a comprehensive careers advice service will be introduced to meet the needs of all — including disabled — people.

The Department would also be able to provide comprehensive support to enable people to overcome the obstacles that they face in finding employment. The capital allocations in this draft Budget will fund new further education colleges in Belfast and the north-west, along with the modernisation of existing colleges, in recognition of the importance of those institutions and their contribution to equipping our future workforce with the skills that it will require.

Turning to education, over the next three years, the challenge will be to continue to raise overall educational standards while reducing the gap in achievement between those who have the highest and lowest levels

of attainment. The proposed allocation will increase the Department's budget by 4.3% per annum over the period to 2010-11, with further resources coming from efficiency savings, which allow for a significant increase in the aggregated schools budget.

In addition, the allocation will support the implementation of the various elements of curriculum reform to give our youngest pupils an improved start to primary school, as well as placing a greater emphasis on developing the skills that young people need for life and work and to provide greater flexibility for schools to tailor what they teach to best meet the needs of their pupils.

To ensure that our children are properly equipped for the future, it is essential that we have a modern and sustainable schools estate that provides them with the opportunities to excel that they deserve.

The draft Budget allocation will enable over 100 major schools projects to be taken forward — along with 18 PPPs over the period, including those for eight special-needs schools — as well as providing for continued investment in the youth estate.

I have told the Minister of Education that I share her ambition to add to her Department's capital resources from funds freed up by further asset disposals to enhance her capital programme.

The Department of Health, Social Services and Public Safety has not only the largest spend of any Northern Ireland Department, but it has also been allocated an increasing share of the overall resource budget in recent years.

The proposed Budget allocation of an additional £450 million by 2010-11 will enable the Department to meet all of its very substantial cost pressures over the Budget period, including inflationary pressures in respect of pay, non-pay and pharmaceuticals.

That will be the largest amount of money ever invested in the Health Service in Northern Ireland and the largest share of available resources ever allocated for investment in the health and well-being of our community, which reflects the importance that the Executive attach to that key service.

The proposed allocation will address many of the key determinants of ill health as well as issues of actual illness. That includes reducing the number of persons institutionalised in learning-disability and mental-health hospitals, as well as a reduction in hospital admissions for those suffering from severe chronic disease, such as heart disease or respiratory conditions.

There should also be increased access to specialist drugs, as well as improvements in cardiovascular and cancer services, with the aim of reducing the mortality rates associated with those illnesses. The proposed allocation will also enable the Department to provide additional resources to public-health programmes,

including those aimed at reducing the level of suicide in society.

The draft Budget provides significant capital resources for investment in the Health Service. That recognises the importance of providing a complementary service with investment in primary- and community-care programmes, acute hospitals and local hospitals.

The proposed Budget allocation for the Department of Agriculture and Rural Development (DARD) will enable it to continue to support the improved performance of local farmers in the marketplace through lifelong learning at the College of Agriculture, Food and Rural Enterprise, the provision of processing and marketing grants, and the delivery of agrifood scientific programmes by the Agri-Food and Biosciences Institute.

The allocation will also enable DARD to provide full funding of the 2007-13 Northern Ireland rural development programme and to address rural poverty.

The programme is worth £500 million and is aimed at improving the competitiveness of the agriculture and forestry sector, improving the environment and the countryside, and contributing towards improving quality of life in rural areas and the diversification of the rural economy.

DARD will continue to develop a more sustainable environment through: further increasing the public and private forest area; developing more sustainable fisheries; and producing flood-protection measures through the Rivers Agency.

The Department of Culture, Arts and Leisure will want to attend to matters that concern the 2012 Olympic and Paralympic Games. The proposed Budget allocation of an additional £18 million by 2010-11 to that Department should enable it to increase participation of local people in sport and physical recreation through the phased implementation of the strategy for sport and physical recreation. As I have indicated, that allocation will help to realise significantly the benefits that the 2012 Olympic Games and Paralympic Games will bring to Northern Ireland.

Furthermore, the proposed Budget allocation will enhance the accessibility of information on our cultural assets, enabling as many people as possible to experience, and, I hope, appreciate the excellence of our cultural assets. The proposals should facilitate growth in the activities that are funded by the Ulster-Scots Agency in line with what was negotiated at St Andrews.

The Department for Regional Development will experience average annual growth in its budget of 6.4% over the period to 2010-11. That growth does not include the funding for water and sewerage services, which is being considered separately. The growth will enable the Department to implement a range of measures,

in particular the extension in the incoming financial year of the concessionary-fares scheme to those who are over 60 years of age. Like the First Minister, I appreciate that particular project, and I am glad that I have been able to comment on it before I need to use it and am required to declare an interest.

The draft Budget allocation will also allow continuation of work on a number of major roads schemes on the key transport corridors, most notably the improvement work on the Westlink, as well as completion of the dualling of the A1 Belfast-border route, and the A4 from Dungannon to Ballygawley. In addition, further funding will be available for structural maintenance, reversing the short-sighted decision that direct rule Ministers made in reducing funding for that essential activity.

The draft Budget also makes provision for a major bus- and train-replacement programme to ensure that a modern, high-quality service is provided. Preparation on the introduction of a rapid transit scheme in the greater Belfast area will be advanced, and the draft Programme for Government sees the Executive setting their target for work starting on that project.

The proposed allocations should allow the Department of the Environment to implement an enhanced approach to road safety and to establish an environmental crime team. Although my statement says “environmental crime team”, I hope that we have set up an anti-crime team. The purpose of that team will be to combat the illegal dumping of waste, which is a serious issue.

In addition, and in direct response to concerns that Members and other stakeholders have raised, the proposed draft Budget allocation will allow the Minister of the Environment to further reform our planning system. The aim is to develop reforms that will enable the planning system to play its part in delivering on our Programme for Government priorities, particularly by contributing to growing a dynamic, innovative and sustainable economy. The Minister of the Environment wants to advance proposals to fast-track job-related planning applications. That initiative should be encouraged, and it needs to be properly resourced.

The draft Budget will part fund the capital costs that district councils will incur in complying with the EU landfill directive targets, thus reducing the financial burden on local ratepayers.

The draft Budget allocation for the Department for Social Development will facilitate the continued modernisation of social security services and welfare reform over the period to 2010-11. That will enable the provision of improved services to clients.

1.00 pm

In respect of the voluntary and community sector, the draft Budget will enable the establishment of a charities commission for Northern Ireland.

With regard to capital, the Department will be able to make some progress towards the achievement of the target of delivering 10,000 new social housing completions over the next five years, in conjunction with its goal of eradicating fuel poverty in the most vulnerable of households. Moreover, I am a fully signed-up member of the Social Development Minister’s club, which aims to aid her in identifying further land disposals that may become available in order to increase the number of affordable and social housing units that she can deliver.

On the matter of town and city-centre regeneration, the draft Budget provides significant resources for a number of initiatives that will have a positive impact on social and economic issues. The draft Budget allocation will allow the Office of the First and deputy First Minister (OFMDFM) to deliver a new comprehensive approach to victims and survivors, including the appointment of a Commissioner for Victims.

My Department will also work to enhance the rights of older people. The higher-than-average increase in the OFMDFM budget is linked to the additional costs associated with the restoration of devolution.

As far as my own Department is concerned, the main focus over the Budget period will be to advance the process of Civil Service reform and to set the foundations for modern, high-quality and efficient public services that will allow further resources to be redirected to front-line services.

We must ensure that public services match the standards that our community now expects. That means investing in new technology and the new systems that are required to support modern and more efficient ways of delivering high-quality services. The Department will also enable the necessary preparations for the delivery of the 2011 census, and allow Land and Property Services to conduct a revaluation of non-domestic properties.

I will also introduce Northern Ireland’s equivalent to New York’s “311” scheme. When it is fully rolled out, that scheme will enable the public to reach all Government Departments by using the same three-digit telephone number.

The draft Budget proposes new financial allocations for Departments. In every case, Ministers would like to have been allocated more, had more been available. However, that also underlines the importance of ensuring further improvements in the quality of financial management in Departments. If Departments have argued successfully for more money, they must ensure

that they spend that money when they said they would. I will therefore be monitoring Departments' underspend figures in the future, and will report those figures to the Finance and Personnel Committee and to the Assembly.

The spending proposals contained in the draft Budget will now be subject to consultation with the Assembly, its Committees and the community. The Committees and the wider community will want to examine those proposals and comment on them. However, this exercise needs to be earthed in reality if it is to be worthwhile. There is no point in simply stating that more money must be spent in this Department or on that project, without recognising that some other allocation will have to be reduced to make way for such additional funding.

We also need to ensure that consultation includes scrutiny of how Ministers allocate money to priorities in their Departments. Setting a new direction for public spending cannot just mean spending more money — it must also mean spending existing money more effectively, in line with our priorities. It is not just a question of how much we spend; it is also a question of how well that money is spent.

Earlier this year, I informed the Assembly that I would carry out a review of the policy on industrial derating that we inherited from direct rule Ministers. Like other Members, I have met representatives of the manufacturing sector to hear their concerns. The Department commissioned a study from the Economic Research Institute of Northern Ireland (ERINI), and I have received its preliminary report. The final report is expected within days. In the light of that preliminary report and, in particular, of the institute's assessment that there is a risk to some of our manufacturing firms in phasing out derating, the best approach would be to hold the current level of rates at 30% over the CSR period.

There is simply no point in making economic development our top priority while, potentially, making life even more difficult for certain key businesses. I would have preferred it if the Committee had been able to address the subject before I had to make any judgement but the timing of the Budget has intervened and I am required to make the call. However, before our final Budget position is agreed in January 2008, the Committee for Finance and Personnel will have considered ERINI's final report, and the Executive will have had the opportunity to take a strategic look at the whole issue in light of the evidence presented. I believe that the Executive must demonstrate their encouragement for our manufacturing industries with more than words.

My final announcement is on the regional rate. In the last three years there have been regional rate increases of 9%, 19% and 6% respectively. Under direct rule, similar increases were planned for the years ahead. In fact, the average regional rate bill has increased by 62% since 2002, and, too often, that additional money

has funded Government inefficiency rather than front-line services.

The cushion of above-inflation regional rate increases encouraged the Government to avoid tackling bureaucracy and waste. Now is the time to remove that comfort blanket and demand that the Government share the strain that ratepayers have borne for years.

Our approach must reflect the decisions on water that were outlined in the statement to the Assembly by the Minister for Regional Development last Monday. We have given the commitment that households will see the benefit of the contribution that they already make to the cost of water through their regional rates payments, which is an average of £160 per rates bill. I believe that we need to go further. We must ensure that each household sees the full benefits of that in their rates bills as we introduce new arrangements for increased contributions from households towards the cost of water over the next three years.

If we were to introduce parallel increases to regional rates bills, no matter how small, at the same time as we are phasing in the new water arrangements, we would be seen as giving with one hand and taking away with the other.

Therefore, in addition to the reduction of an average of £160 per rates bill from 2009-10 I propose that we should freeze the domestic regional rate for the next three years. This represents a cut in real terms in the regional rate and offers much needed relief to every ratepayer.

Devolution is about making a difference. In the area of local taxation, during the coming four-year Assembly term the average householder in Northern Ireland will be more than £1,000 better off than would have been the case if direct rule had continued and direct rule proposals had been implemented.

The position is different for the business regional rate as there have been more modest increases in their bills, averaging about 3.3% over the past five years. However, over the next few years, businesses will also face increased water costs, therefore, I propose that we commit to reduce the average increase in their rates to 2.7% a year for the next three years. That is the level of inflation forecast for the next three years, and will maintain their contribution at present levels in real terms.

The first draft Budget for the new Administration sets a new direction for Northern Ireland. It is the first step in a new journey that we are all embarking upon together. The challenges and opportunities facing Northern Ireland have never been greater and will increase in the years ahead. The old answer of ever-increasing public spending is no longer available. Yesterday's solutions will not solve tomorrow's challenges. Only a relentless commitment to delivery,

innovation and efficiency will allow public spending to deliver the kind of outcomes that we all wish to see.

This draft Budget not only seeks to move Northern Ireland in the right direction for the next three years, but seeks to set its trajectory for decades to come.

Even though, as a result of the comprehensive spending review, growth in public spending in Northern Ireland is lower than has been the case in recent years, the draft Budget announces the highest-ever level of public spending in Northern Ireland. However, the real success or failure of the draft Budget will not turn on what is spent, but on what is delivered. It is not the input, but the output, that will count with the public.

I have announced the highest-ever spending plans for Northern Ireland; made the economy the number-one priority; and delivered a freeze in the regional rate. The draft Budget offers some much-needed relief to householders and a platform on which to grow the economy. Ultimately, devolution will be judged on its ability to make a difference to people's lives.

The draft Budget will allow the Executive and the Assembly to deliver for the people of Northern Ireland during the next three years. It will allow Northern Ireland to build a stable, fair and prosperous future. I commend the draft Budget to the Assembly.

The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin): I congratulate the Minister on the presentation of the new Executive's first draft Budget. I welcome the draft Budget and the Minister's statement, which together are an important step forward for the Assembly, setting out the clear intention to map out a social and economic step change for everyone in the community. That is why people have such hope for this Executive.

The Committee for Finance and Personnel, in concert with all the scrutiny Committees, will examine the minute detail of the draft Budget. My Committee will also take the views of the other statutory Committees on the draft budgets of their respective Departments and will produce a co-ordinated report on the draft Budget before the Christmas recess. Clearly, all of that is predicated on the timeline laid down by the Minister for final decision being met.

The Committee will also table a motion for full debate on the draft Budget and hopes that the outcome of its report will inform and influence the Executive when they produce a revised Budget statement in January. One key issue among many that have exercised my Committee is the culture of underspend, which has persisted for years in Government Departments. The Minister has addressed that issue, both in the Budget and in his statement. What steps does he envisage can be taken to improve financial forecasting, monitoring and spend in Departments in order to eradicate the

culture of underspend and to ensure that there is delivery on the strategic spending priorities?

Mr P Robinson: I thank the Chairman of the Committee for Finance and Personnel for his comments. I hope that, in the coming weeks and months, my officials and I can work with the Committee to examine the documentation with which it has been provided and to answer the searching questions that I have no doubt it will ask. Of course, the Executive will be happy to participate in any debate that the Committee may seek to bring to the Assembly.

In relation to underspending, the Chairman has put his finger on a key issue that will affect the Executive's ability to do the job that they have outlined in the draft Programme for Government and, indeed, in the draft Budget. As I said in my statement, it is absolutely essential that, when Ministers come to me to make a strong case for spending programmes and projects — and convince me to the extent that they are provided with money — they actually spend that money within the timeframes that have been set. The backcloth against which that issue must be considered is the fact that there is no automatic access to end-year flexibility. Money that is not spent during the course of the financial year is tightly controlled by the Treasury. That brings the Executive to a position where we must bid for that money and argue for it, and we will not always get it when we want it or in the quantity that it is needed.

Therefore, it is absolutely essential that each Department can meet the type of spending proposals that it has indicated that it wishes to take forward. It will be impossible for every Department to be able to meet exactly — on a pound basis — the allocation that has been made to it. Nevertheless, Departments must substantially work towards that. That is a matter on which I want to recruit the Chairman and members of the Committee for Finance and Personnel, who will play a powerful role in that exercise.

Unlike the situation under direct rule, the Assembly's Committees have a scrutiny role. That means that the Committee for Finance and Personnel will be able to monitor departmental spending throughout the year, thereby ensuring that Departments meet their targets. I hope that the Committee will be tough on Ministers — including me — if they do not meet those targets. Together, we can ensure much better performance than has been the case heretofore.

1.15 pm

Mr Hamilton: I congratulate the Minister of Finance and Personnel on his Budget. He will know that people in constituencies such as Strangford were hammered hard by direct rule's double-digit regional rate increases. I am sure that those people will warmly welcome the Minister's announcement that he intends

to freeze the regional rate over the next three years, effectively providing a cut in the regional rate.

I am also sure that Northern Ireland's manufacturers will particularly welcome the Minister's announcement that industrial rates will be held at their present level. Will the Minister explain to the House how the average householder in Northern Ireland will be better off by £1,000 a year over the Assembly's current mandate, compared to direct rule?

Mr P Robinson: Already, householders in Northern Ireland are considerably financially advantaged by the existing devolved Administration. The first step that the direct rule Administration would have taken — if there had not been devolution — would have been to introduce the first phase of water charging in the current financial year. That would have constituted one third of the overall expected bill. That charge would have increased to two thirds in the following year, and would have increased to the full charge in the year after that. Under the proposal announced by the Minister for Regional Development, there will not be a charge for water in the current financial year, or in the next. Already, for water alone, there is a significant saving, and a consequent reduction thereafter.

As for rates, the pattern is — as indicated in my statement — that rates had increased in Northern Ireland by over 60% in a five-year period. There has been an increase of 37% in the regional rate in the past three years. That is why the ratepayer in Northern Ireland deserves some relief. However, I would not like to see local government taking advantage of the regional rate being frozen by increasing the district rate. I hope that, rather than take advantage of that, local government will attempt to mirror what has been done by the Executive, and that we can keep down the burden on ratepayers in Northern Ireland.

Mr Beggs: The Budget is one of the tightest that we have experienced in Northern Ireland in recent years, with only a 1·2% increase in real-terms spending. Will the Minister agree that, although the regional rate will be frozen over the next three years, in the long term significantly more money will be raised from householders when regional rates and water rates are combined?

Will he also give some indication on how the Varney Review can have a significant impact in achieving his primary focus in the Budget — economic growth? Are there any indications yet of significant changes that will help businesses and job creation in Northern Ireland?

Mr P Robinson: The Minister for Regional Development set out the agreed position of each of the four parties in the Executive on phasing in water charges. Rightly, he indicated that — in line with all our commitments during the election campaign — we will not allow people to be forced to pay twice for their water.

We have therefore reduced the rates bills by £160 for the year in which payment will begin; the Consumer Council for Northern Ireland, my Department and the review panel have all agreed that that is an appropriate figure. The very reason why I want to freeze rates over the period is to take account of the phasing-in of the water charge and allow it to be assimilated, rather than applying further pressures through the regional rate.

The Member asked about Sir David Varney's review. I have not yet seen the report. Bits and pieces of information have started to vibrate around the system, and, as I understand it, the report is likely to take the form of an economic analysis that indicates the strengths and weaknesses of our economy, rather than providing a set of recommendations. It will therefore be left to the Chancellor to determine what action will be taken on that matter.

My best guess is that, in responding, the Chancellor is likely to deal with the kind of instruments that would help our economy, rather than simply consider financial inputs. We are likely to be talking about schemes and projects to encourage investment in our economy and to improve skills and training. I hope that the Chancellor will consider those types of issues. The First Minister indicated earlier that no stone will be left unturned as regards the pressure that the entire Executive will apply to get the best deal possible from the Chancellor, and from the United Kingdom Government as a whole.

Mr O'Loan: I thank the Minister for his statement on the draft Budget. It is very important that we not talk down our potential. I want to say clearly at the outset that I believe that this is a real Budget that involves real decisions.

As the Minister has said, rises in public spending have been very substantial in recent years, although they are now much less so. Nonetheless, there has been a real rise in public expenditure. I am sorry to hear that the increase is 1·2% per annum in real terms rather than the previously publicised figure of 1·7%. Nevertheless, it is an increase.

I congratulate the Minister on his welcome emphasis on efficiency in Government. Inefficiency has been a perennial problem that has not been easy to crack. We must all play a part in addressing that issue through our different roles in the Assembly. It has been too easy to simply raise more revenue. I welcome the Minister's freezing of the domestic regional rate to cushion the imposition of water charges and the similar restriction on the rise in the business regional rate.

I have three brief questions. First, can the Minister assure me that the end-year flexibility (EYF) figure of £295 million is not included in the 1·2% increase in real terms in departmental spending?

Secondly, I note that the Minister said that the Department will:

“make some progress towards the achievement of the target of delivering 10,000 new social housing completions”.

That language strikes me as being somewhat more cautious than that which was used in the earlier statement on the draft Programme for Government. Can he give me a clear assurance of his commitment to providing those much-needed social houses?

Thirdly, the Minister referred to the report on the cost of division, and then immediately went on to say that:

“we can make savings with different arrangements to educate our children”.

Can he assure me that he is not planning an onslaught against the Catholic education system?

Mr P Robinson: I thank the Member for his generous comments about the draft Budget, particularly the proposals on the regional rate and industrial derating.

The Member’s first question was about EYF, and I can give him an assurance that the additional amount that we managed to secure from the Chancellor is not included in the 1.2%. The collective figures are provided in the draft Budget, although I accept that Members must trawl through 120 pages to find them. However, in my view, the figure of 1.2% reflects the real-term growth — the Chancellor might say 1.7%, but he adjusted the baselines. In my view, the honest figure for the Assembly to work from is 1.2%, which does not include the EYF figure.

The Member commented on my more cautious use of language when talking about social housing. He will know that I am always very cautious in my use of language. However, that says nothing about my determination to address the need for social housing.

I am at one with the Minister for Social Development in seeking to secure every pound possible to meet our targets. I have indicated to her that putting the targets in the Programme for Government places responsibility on the whole Executive to provide the funding necessary to ensure that they are met. The targets will not be met just by supplying cash to build houses; there are other important aspects, not least the use of article 40 of the Planning (Northern Ireland) Order 1991 to ensure that a proportion of each large development is set aside for social and affordable housing. Releasing additional land by all Departments — not just the Minister for Social Development’s — will give us the flexibility to move towards those targets, which are undoubtedly challenging. A target is of no value unless it requires us to stretch.

Dr Farry: I am not sure that Mr O’Loan should have been so welcoming of the Budget, given that the SDLP’s Minister’s Department is one of the few that will have its budget cut in real terms over the three-year

period. Nonetheless, I welcome the economic thrust of the Budget while stressing that delivery is critical.

What are the projections for the public share of GDP over the lifespan of the Budget, given that we are starting from a baseline of 71%? This morning, the First Minister said that gross value added (GVA) conversions were a target for OFMDFM and the Executive. However, the goalposts are being moved towards us because the south-east of England is being excluded from GVA calculations. Will the Minister confirm that we are lowering our sights?

The Budget was also supposed to contain the regional economic strategy: has that been included in the Minister’s statement? I note that we are still focusing on essentially the same four drivers that were in the draft regional economic strategy and that attracted so much criticism by the business sector. How does the Minister anticipate making a step change in our economy if we do not have the tools to do so?

There is no provision in the Budget for a differential rate of corporation tax in the event of that being granted by the Varney Review. Under the terms of the Azores ruling, that provision must be made. Does the Minister’s statement do what it says on the tin?

Mr P Robinson: The Member’s questions would have been better if he had been given more time to think of them and some assistance in their compilation. The Executive, in their Programme for Government, quite rightly felt that the proper GVA comparison that we should make is with that of the UK after the south-east of England has been removed. That is the level that we hope to achieve. We have already moved ahead of Wales, in GVA per capita, and Scotland is in our sights, but the average UK level is our target. It will not be achieved in one year or three; the target set by the direct rule Administration was a 0.5% increase in GVA over a 10-year period, so we are being considerably more ambitious.

I thought that the Member was someone who wanted to encourage the additional productivity that is needed to increase GVA; encourage exports from Northern Ireland, and encourage foreign direct investment (FDI). If bad-mouthing every document produced is all that the Alliance Party has to offer, then that is a fairly poor contribution to make to a very serious debate. The Member is usually much more positive on matters — perhaps he got out of the wrong side of bed this morning.

Regardless of whether that is a party line that the Alliance Party feels it must take, Northern Ireland has an excellent opportunity over the next number of years to grow its economy considerably. It gets that opportunity on foot of the stability and progress that is being made. The fact that our business community is indicating its enthusiasm and confidence in the economy to DFP shows

that we have that opportunity. I say to the Member for North Down: do not talk Northern Ireland down.

1.30 pm

Mr Deputy Speaker: I remind Members that the Speaker has asked that the questions be brief and to the point so that the Minister can answer as many questions as possible. We must move in that direction.

Mr Weir: I am sure that the Minister will be delighted to hear that I will ask him only one question, rather than five or six. I welcome the Budget — it is clear that it is a Budget for economic growth, which will be welcomed by ratepayers and manufacturers.

The Budget will also be welcomed by prudent local councils. Over the last several years, councils that have sought to be efficient and prudent, such as my own council in North Down, have been overwhelmed by massive regional rates rises and found that all their good work was somewhat undone. The Budget will be welcomed not simply because of the freezing of the regional rate, but for the support that has been given to help meet EU targets. In his statement, the Minister rightly highlighted that the link between the level of council tax in England, and our ability to borrow under the RRI initiative —

Mr B McCrea: This is a short question?

Mr Weir: I will obviously aspire to —

Mr Deputy Speaker: Will the Member ask a question?

Mr Weir: I always aspire to the level of brevity of the Member for Lagan Valley, although I do not always succeed.

The Minister said that the link between the level of council tax in England and our ability to borrow under the RRI initiative was successfully removed during the negotiations with the Chancellor in May and earlier this year. Can the Minister indicate what the implication of that change is for the Budget, compared to what was negotiated by the last Executive?

Mr P Robinson: I thank the Member for North Down; I am glad that there are some optimistic people living in that constituency. I have announced a business-friendly Budget; the business community will welcome it, as it has long wanted to see an Executive that are prepared to put the economy at the centre of their priorities, to seek growth in the economy and to encourage the business community by reducing some the pressures on it.

The reinvestment and reform initiative was introduced by the previous Executive, and it is a good initiative. It provides additional borrowing capacity, which is welcome to the Executive. The constraint that the Chancellor applied to the previous Executive was that they could not have access to the reinvestment and reform initiative unless they narrowed the gap between local taxation

here and in Great Britain. Therefore, Northern Ireland's rates rises were governed by the level of rises in Great Britain. That is what caused our rates to go up by 19%. That was not because we needed a 19% rise here, or because people could afford it, but because people in Great Britain had that rise and it had to be mirrored in order for the Executive to have access to RRI.

If that link had not been broken in our negotiations with the Chancellor, there would not have been a freeze on the regional rate. Over the next three years, under direct rule, the rates were set to increase by more than 10% per annum. Anyone who wants to consider that, on top of the additional water charges that people would already be paying, will know the real benefit that devolution is bringing to the pocket of Mr, Mrs and Ms Average.

Ms Anderson: Go raibh maith agat. I thank the Minister for his statement. I also thank him for his answer to the last question because I welcome the fact that the Executive have been able to abolish what became known as the "Durkan tax".

The draft Programme for Government clearly states that the resources from public expenditure and economic growth should be used to tackle existing patterns of disadvantage and target those in greatest objective need. Will the Minister detail how the draft Budget meets that objective?

Mr P Robinson: From my earliest days at the Dispatch Box, I have made it clear that a massive imperative has, unquestionably, been placed on the Executive to work towards economic growth in Northern Ireland, particularly at a time when there is a window of opportunity. However, we should not be unmindful of the vulnerable in society who need the most help, whether they are young people, older people or other sections of the community. Unless the Assembly makes a difference to the lives of everyone in society, it is not making the best use of devolution.

I cannot micromanage the Departments that are responsible for dealing with issues at the coalface, but the increase in departmental allocations enables the Ministers to put in place the necessary funds that will make the biggest possible difference.

The draft Budget is based on the current available funding. However, there are, potentially, two additional sources of income. The first arises from the work of the PEDU, which will examine the resources of every Department to establish what additional efficiencies can be made to allow money to go to the front line, where it is of greatest value. The second potential source of further income comes from the consideration of whether there is more of an asset base that can be used to fund new projects.

Potentially, they have a critical role in providing the cherry on top of the cake, by enabling Ministers to do

what they urgently want to do, but are constrained from doing by the size of the current cake that the Assembly has been given.

Mr S Wilson: I too congratulate the Minister on bringing forth a draft Budget, the prudence of which will help to alleviate the pressure on hard-pressed taxpayers. At the same time, it introduces innovative spending programmes that will help to improve infrastructure and, I hope, the economic structures.

I have three questions for the Minister. Funding from the Irish Republic will be available for several road projects. However, one such project, the upgrading of the A8, is not included in the draft Budget. Has that project now been ruled out of receiving funding for the next three years of the comprehensive spending review?

The Minister made much of the fact that Departments have underspent. Often, it was capital underspending, which is partly due to difficulties with public finance initiatives. What steps is his Department taking to ensure that the delays in PFI schemes are not due to the procurement method that is used, which subsequently leads to an underspend?

Finally, given that the draft Budget is based on the Barnett formula, which included an increase, in real terms, of 2.5% in spending on education in GB, why is that not reflected in the spending on education in today's proposal?

Mr P Robinson: I will deal with the questions in reverse order. None of the spending plans that the Chancellor provided for GB are reflected here because of devolution. We decide our priorities; we slice up our cake to reflect local interests and our knowledge of where the need lies. The Assembly does not mirror the percentages that are attributed in GB.

Were it to do so, the Health Minister would be extremely upset today at the significant reduction in baseline spending on health in Great Britain. However, that reduction has not been passed on to the Department of Health, Social Services and Public Safety here. That is just one example of how essential it is that we take decisions, as a devolved Government, based on the priorities in Northern Ireland.

I recognise that the Member has not had a great opportunity to look at the documents in detail. However, if he looks at the draft investment strategy, he will see reference to the A8 there. Happily, therefore, he will be able to get into the 'East Antrim Times' to tell people that progress is going to be made.

Mr S Wilson: And I will give the Minister the appropriate praise.

Mr P Robinson: I welcome that; coming from the honourable gentleman, it is praise indeed.

As regards PFI schemes, the Member is well aware — as he worked very closely with me in east Belfast before going to greener pastures — of my misgivings about PFI. It is not a concept that I am ideologically connected to. I look at PFIs and PPPs to see whether they are the right solution for a particular set of circumstances, or whether other procurement methods would be better.

The Member has put his finger on one of the issues that has caused massive problems. In my own constituency, there have been massive delays because of PFI schemes. That is something that the Ministers who are pushing those forward — and particularly, in OFMDFM, the SIB — need to tackle. We must oil those wheels to ensure that we do not have inordinate delays in the rolling-out of those schemes. The Member has, rightly, identified an issue that has to be tackled. It has not been tackled in the past, and it is a challenge for this Executive to do it effectively.

Mr McCallister: I welcome the Minister's announcement on the regional rate and industrial derating.

Turning to health, the Minister will know that there has been a 4% increase in spending in GB, yet Northern Ireland's spend is only increasing by 1.2%. Does he feel that that divergence is sustainable? Does he accept that the Barnett formula may now be working against us in the area of health spending?

Also, if children and young people are to be a priority, can the Minister guarantee that he will address the 30% underfunding of Northern Ireland's children's services?

Mr P Robinson: I think it might be worthwhile to put the health debate into a proper context. I have to provide allocations for 11 Departments, three minor Departments and this Assembly. The funding total for all of those together is such that almost 48% of the total amount goes to one Department: the Department of Health. It is very clear that health is a very significant priority for this Executive. Not only that, but the Minister of Health will have more money at his disposal in the next three years than any of his predecessors have ever had.

Mr Poots: Where is he?

Mr P Robinson: I hope that he is using the allocations to good effect and opening new health provisions around the Province. I recognise that we cannot have all the Ministers here at all times; however, it would show some solidarity with the Executive as a whole if each Minister could be here at some point.

As far as health is concerned, I also want to point out that not only does the Minister of Health have the highest health budget ever in Northern Ireland, he also has the largest-ever percentage of the Northern Ireland block for his Department. That indicates the priority that we have given to health.

There is no question that, with Health as with every other Department, the ambition of the Minister outstrips the resources available. During the course of the next three years, at in-year monitoring rounds and whenever any other money may be freed up through the work of the two new units that we have established, we will obviously look at the pressures that every Department faces.

As far as children and young people are concerned, the previous Administration had the Secretary of State set up a fund that particularly identified children and young people and allocated money to them.

This Executive's decision — and I believe it was the right one — was that along with the establishment of funds from the centre goes a duplication of bureaucracy. That simply wastes money; therefore, it was felt that the best people to deal with those issues were the Ministers in the appropriate Departments. OFMDFM has a particular function in relation to children and young people, and it will exercise that function in a co-ordinating way in putting forward policies that can be pursued. However, delivery of those policies will come from the various Departments.

The money previously set by the direct rule administration and identified particularly for children and young people was allocated as part of the overall Budget to all of the Departments; as a result, therefore, the water rose for everyone. It was then up to each Minister, particularly those who had responsibility for that matter, to determine its priority in his or her funding. Having looked at some of those rankings, I decided, in the allocation of additional money received from EYF and as a result of the Barnett consequentials, to recommend to the Executive that I put in a further £21 million pounds, specifically identified to help the Ministers in relation to children and young people. Therefore, I take the matter very seriously, and I hope that, throughout the year, I can be of even further assistance to the various Ministers in that regard.

1.45 pm

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr Durkan): I congratulate the Minister on his statement and on a very good Budget plan, in the context of what has been a very tight CSR round, not only with regard to this year's allocations but over the three-year period. I commend the Minister for what he has set out today and, through him, his Executive colleagues. It involved decisions that were not always easy, and implementing them will not be easy. All of us who are tasked on Committees must, therefore, bear that in mind over the next few years.

A week is a long time in politics. Last week, the Minister of Finance seemed to want to “club” the

Minister for Social Development. Today, he joins her club, and I welcome that.

As Chairperson of the Committee for Enterprise, Trade and Investment, I particularly welcome the indications of the budget increases in that area over the coming years; however, again, I agree with him that we must make sure that that money is used to get real productive impact in the economy and not just extra activity at Government level.

With regard to cash releasing, in his statement, the Minister identified £790 million that will be delivered by 2010-11. Is that in addition to the £800 million that the Chancellor indicated in his package, or is it that the same £800 million? Similarly, with regard to the capital realisation task force that was announced in an earlier statement, will that be aimed at making sure that we actually get the £800 million in asset sales that was identified in the Chancellor's package, or was that about identifying extra asset sales?

Mr P Robinson: I thank the Member for Foyle for his kind comments about the Budget statement. He is right to identify that setting a programme out is one thing, and implementing it is another. It will, I hope, be the task of all Ministers and all parties to ensure that we can make good the commitments that were made in this House today.

I assure the Member that I am quite happy to be in the same club as the Minister for Social Development. In no circumstances would I want to “club” the Minister; I simply want her to operate by the same club rules as everyone else. I may return to that theme in future — to do so now would be to break the harmony of this occasion.

I assume that the Member refers to the £790 million from efficiencies. Those efficiencies have been identified by our Ministers, and not by the direct rule administration.

People will read the publication, and they will consider the fact that there will be a real terms increase of approximately 1.2%. However, if the Departments make the efficiency savings that are required, the outcome over three years will be significant. All the Ministers have proposed efficiency savings, therefore the percentage for each of the Departments, including those savings, will increase to the high teens and the low twenties, as those efficiencies will be released within the system.

There was a comment, snide or otherwise, from the Alliance Benches, that Mr O'Loan should not have thanked me for the draft Budget, considering the allocation that has been given to the Department for Social Development. Nevertheless, three Departments will receive allocations beyond the figures that are provided here. The Department for Employment and Learning and the Department of Enterprise, Trade and

Investment will receive innovation funding, which is not included in our global figures. We also hope that the Department for Social Development will receive benefits that will accrue through the Pathways to Work scheme, from the Department for Work and Pensions in the UK to our block in Northern Ireland. I hope that I am not leaking one of the great Executive secrets — if there are any left — but they made it clear that they would look favourably on directly passing those benefits to the Department for Social Development. That would have a substantial impact on its budget.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I congratulate the Executive and the Minister of Finance and Personnel for bringing forward the draft Budget. I doubt whether this time last year anyone would have believed that we would be debating a draft Budget and a future Programme for Government today, but it is good to be in this position.

The draft Budget will now go out for public scrutiny and for scrutiny by Assembly Committees. Earlier in the week, I touched base with the Minister on the proposed performance and efficiency delivery unit. When will he be in a position to give us the full remit and scope of that unit? How will those “respected individuals” will be selected? What reporting mechanisms will the unit have to the Assembly?

Mr P Robinson: This morning, I met with the Chairperson and the Deputy Chairperson of the Committee for Finance and Personnel. I told them that it would be worthwhile if the Committee, or its Chairperson or Deputy Chairperson, were to meet those who will be involved in the performance and efficiency delivery unit and those who will be involved in the capital realisation taskforce. Their representatives will be happy to talk to the Committee about the task ahead and about how they intend to undertake it. Ultimately, I am responsible for such issues, so I can be brought before the House or the Committee at any time.

I hope that I am wrong, but I get the impression that the Member fears the existence of a performance and efficiency delivery unit. I believe that it is overwhelmingly in the interests of everyone in the Assembly that such a unit is encouraged, that it goes about its job, and that it finds cash-releasing savings that can be pumped into front-line services. There is nothing for anyone in the Assembly to fear. Within days, we will provide the Committee for Finance and Personnel and the Executive with the remit for the performance and efficiency delivery unit. The Office of the First Minister and the deputy First Minister has issued letters to Committee members regarding the establishment of the capital realisation taskforce.

The Member has a particular interest from an audit point of view, and my Department will be happy to copy him into that correspondence. However, Members

must encourage those two units to do their jobs, because they can release funds that can be used on top of the draft Budget that has been announced today.

Mr Storey: I welcome the Minister's statement and the challenge that he has issued to local government to play its part in ensuring prudence in the financial management of Northern Ireland plc. I also welcome the establishment of the capital realisation task force and the performance and efficiency delivery unit, and look forward to engaging with those units to identify further resources that can be released.

The Minister said in his statement that some progress had been made in the negotiations with the Treasury in recent months. Will the Minister tell the House how this Budget announcement compares with the Chancellor's package earlier this year?

Mr P Robinson: Comparisons with the Chancellor's package can be made in several ways. We can compare it with where we are now, and the additions that have been made to that package; or we can compare it with the past. We can compare it to packages that were brought to the table by others when they entered negotiations. If those are the criteria for comparison, then the Assembly will see that the package obtained from the Chancellor on the two occasions that we met him in Downing Street and the additions that we have now received, considerably improve our position.

None of our negotiations with the Chancellor would have resulted in a package that would have met all of our requirements, but Members will be aware that £100 million was immediately made available, £70 million of which was used to forestall the payment of water charges in this financial year. The remaining £30 million will be allocated in this year and over the next three years to innovation funding, all of which will help to stimulate Northern Ireland's economy. We were able to secure a significant change in the operation of the reinvestment and reform initiative. That has allowed me to hold rates rather than increase them by probably more than 10%, which would have been the outcome if we had not negotiated that change in the Chancellor's package.

Furthermore, we have been able to secure a significantly higher level of block grant than was offered by the Chancellor. I have already outlined those figures in my statement and do not want to go through them again. The Chancellor allowed us to use resources obtained from asset disposal, which we have taken full use of, and which amounts to about £1.1 billion of disposal already identified in the investment strategy. As the Member knows, we are not satisfied with that, and will look for more.

Several other issues arose from the overall package. The Government of the Irish Republic advanced proposals amounting to about £400 million to assist us

with two particular road programmes. Those proposals are progressing, although one of them is unlikely to fall within the period of the current comprehensive spending review. However, it will begin as soon as the legal and other processes have been completed.

The Government of the Irish Republic provided funding that we will be able to use as part of our innovation initiative, and will add to that provided by the UK Government. Along with European funding, it will create an overall package that will be meaningful for the Department of Enterprise, Trade and Investment and the Department for Employment and Learning.

Ms J McCann: A LeasCheann Comhairle, I thank the Minister for his statement on the draft Budget. It is a big document, which I have only glanced through, but there appears to be a significant focus on the promotion of the role of the private sector in building the economy.

Does the Minister agree that the public sector also has a vital role to play in building the economy? Can he assure the House that the much-needed front-line services that the public sector delivers — particularly to the most vulnerable and disadvantaged — will not be affected by any cuts to that sector?

2.00 pm

Mr P Robinson: The debate about the balance between the public and private sectors has been long. There will be no greater defender of the public sector than the Minister of Finance and Personnel. I have the highest regard for our Civil Service. Its officials act impartially and provide us with the best of information. Civil servants' ideas help Ministers to form their policies. I will defend our Civil Service against attacks, no matter whence they come. Civil servants are objective and thorough in their work; however, the Civil Service is at the forefront of a campaign to reform the way in which it works. The essential element of reform in this modern day is to ensure that we interface meaningfully with the public and provide information on services in the responsive manner that that public deserves.

The reform package that is coming through my Department will suggest better ways of providing information. Technology, particularly information technology, will be better utilised for storing and accessing information on accounts and other data in Northern Ireland; however, I will not go into that today in any great detail. The Department has also dealt with Workplace 2010, which is concerned with improving the conditions of the Civil Service. The implementation of a New York-style "311" system has been proposed. That would mean that anybody in Northern Ireland who wants to contact the public services will not have to go through 12 pages of the telephone directory to find out who they need to contact; they will merely need to remember and dial three digits. Staff at a centre who

have been tasked and trained to deal with such queries will put the customer through to whatever public service they wish to contact. That will make communicating with the Government much simpler for people.

The reform package goes to the heart of the Executive's draft Programme for Government, which aims to achieve better interaction and communication between the Government and the public. The proposed system will further provide us with data that will inform the decisions that Ministers will take, for example, on issues such as potholes that must be filled or roads that need to be resurfaced. It will provide us with the necessary information on a series of areas of Government life. That data will come through the system so that we can better serve the public. A bigger public sector does not necessarily mean a better public sector, and it is a better public sector towards which we are working.

Mrs I Robinson: As one would expect, I welcome the statement on the draft Budget. Since the Health Committee's establishment last May, the implementation of the findings of the 'Bamford Review of Mental Health and Learning Disability (Northern Ireland)' has been identified as our top priority. There is universal agreement — not only in the Committee, but among other Assembly Members and the community — that services for people who have mental-health and learning disabilities have been seriously and gravely neglected over many years, and it is only now that the needs of those people are getting the attention that they deserve. I, therefore, wholeheartedly welcome the identification of specific resources in the Budget that will begin to address those issues over the next three years. Will the Minister assure the House that the Department of Health, Social Services and Public Safety will be able to retain any efficiency savings that it identifies to further robustly tackle this issue over the coming years?

Mr P Robinson: I have already described the significant portion of the Budget that will be allocated to the Department of Health, Social Services and Public Safety and, therefore, will not repeat it. However, one must recognise that people are living longer, their expectations are rising, and new drugs are coming on to the market. Those developments open up possibilities that previously were not considered.

There is continuing pressure on the Minister of Health, Social Services and Public Safety to do more and to do it better, and I recognise the need for funding. I must hold the position that if efficiencies are made in Departments, they come back to the centre, and that relates to efficiencies beyond those that have already been identified by 3% of the Budget or 5% of administration costs.

However, I believe in incentives for Ministers — as for others. I would have thought that if a Minister were

to come to the Executive after identifying further efficiencies, he or she would be in a strong position to argue with colleagues that, having made those efficiencies from the existing Budget, at least part of those efficiency savings could be used to fund new programmes. That would be significant, but the Executive must allocate whatever resources are available. The Minister of Finance and Personnel cannot give an overall guarantee that a Minister could do that.

However, the Health Minister knows my mind on efficiencies. If he examines the Appleby Report, he will find that there is a significant fall in productivity among healthcare staff in Northern Ireland, as opposed to that in England, Scotland and Wales. If we could get ourselves up to the same level of productivity as that in GB, that, in itself, would generate substantial savings in the region of £150 million to £200 million.

(Mr Speaker in the Chair)

Mr B McCrea: There are several measures that I welcome. I welcome the attention on the economy as the number one driver for the Executive. Further — and I have already notified my interest on industrial derating — I welcome the fact that the Executive and the Assembly have listened to the plight of the manufacturing industry, and that more will be done.

I turn to the fundamental point — and I am interested in what the Minister will have to say: if we are experiencing lower levels of employment along with lower productivity, in essence, we are working harder for less. If, as the draft Budget states, the problem is not really the size of the public sector, but the comparatively smaller size of the private sector, where will we find the people to create that step change in our economy?

Given that the Minister is the champion for the public sector — as he has just said — and that the premium of 18% for pay rates is the highest in the United Kingdom, how will he convince people to leave the security of the public sector to go to work in the private sector? That must happen in order to generate the wealth that we require to provide for all the people of Northern Ireland.

Mr P Robinson: I thank the Member for his remarks, particularly those about growing the economy, his agreement with that as the prime objective, and his remarks about industrial derating. I have asked my officials to examine a series of options on industrial derating.

The Assembly, in its pre-devolution mode, sought to have industrial rates for manufacturing pegged at 25%. I asked for several options, including whether industrial rates could be reduced to 25%, or whether they could be reduced to zero. Neither of those options was legally allowable because of EU state-aid rules. Industrial derating is rather a blunt instrument to give some assistance to the private sector. However, as I have said

to colleagues on several occasions, it is the only instrument that we have. Therefore, it is right for us to use it, and to use it to the best extent that we can, within the law.

The Member's remarks about the public and private sectors allow for only one logical conclusion — and I hope that he will take note of the danger — which is that public-sector pay must be reduced. The Government have no control over private-sector wage levels. However, the public sector is tied up by wage agreements that are largely dictated by the Treasury, which identifies pay policy as a macroeconomic variable that it wants to control. Therefore, public-sector pay policy is outside the remit of the Assembly. We could take such decisions, but we would be punished if those decisions caused any repercussive effects.

To address the disparity highlighted by the Member, if the public sector is the only sector that we can control, we must encourage the private sector as best we can. The conditions that the Member described, in which there are fewer people to do the jobs, will result in increased wages. Where are those people to be found? It is a step process.

People with university degrees, who currently have low-value-added jobs, could be doing much more productive work that would repay society for its investment in their education. However, those people are stuck in low-value jobs, such as those found in call centres. A healthy private-sector economy would enable such people to move into higher-value jobs.

We must also help those who could be working to get out of economic inactivity. DEL and DETI are considering schemes to help such people. Those are the areas in which the private sector will find the people that it requires.

Other people will come into our society from outside Northern Ireland. They should be considered as adding to the overall wealth, productivity and prosperity of Northern Ireland rather than being seen as coming to take our jobs. The current generation is experiencing the highest ever levels of employment in Northern Ireland, which has the lowest level of unemployment of any part of the United Kingdom. That is a good base from which to move forward to the next stage.

Mr Speaker: That ends questions to the Minister of Finance and Personnel on his Budget statement.

Mr Durkan: On a point of order, Mr Speaker. When you were absent, I consulted with the Chair about making this point of order.

During the Minister's statement, and in several questions, pointed references were made to me and to the supposed role of the previous Executive. People have a right of reply if they are criticised or challenged

and in my question to the Minister of Finance and Personnel, I did not seek to use that right of reply.

Ms Anderson spoke about the “Durkan tax” and suggested that rate increases came from the borrowing power negotiated under the reinvestment and reform initiative. First, the reinvestment and reform initiative was agreed by the entire Executive. Secondly, at no point did that Executive agree, impose or even propose a rates increase —

Mr Speaker: I have given the Member some latitude. That is not an appropriate point of order. The Member may be about to raise a point of order about a right of reply. He does not have a right of reply on that issue.

Mr Durkan: When can I exercise my right of reply? The Deputy Speaker told me to do so at the end of the debate on the Minister’s statement.

Mr Speaker: The Member’s comments have been noted. However, he does not have a right of reply on that issue.

Mr Durkan: Do I not have a right of reply?

Mr Speaker: That is exactly what I am saying.

Mr Durkan: Does no one have a right of reply any more?

Mr Speaker: The Member has been around this House for a long time — and for a longer time around another House. He knows that the issue that was raised is not serious enough to warrant a point of order and a reply.

Mr Durkan: In another House, if a Member is named, or where it is clear that a Member is being personally identified, he or she has a right of reply.

Mr Speaker: The Member should read page 32 of the Northern Ireland Assembly Companion, because the answer is there.

2.15 pm

MINISTERIAL STATEMENT

Rural Planning Policy and PPS 14

Mr Speaker: I have received notice from the Minister of the Environment that she wishes to make a statement on the judicial review of Planning Policy Statement 14.

The Minister of the Environment (Mrs Foster): I am making this statement, with the agreement of the Minister for Regional Development, to advise the Assembly that, from today, my Department is assuming responsibility for rural planning policy, as set out in draft Planning Policy Statement 14 entitled ‘Sustainable Development in the Countryside’ and commonly known as draft PPS 14. I will lead cross-departmental work to review draft PPS 14 and develop new policies.

The review will be focused and short in timescale. Until then, the Planning Service cannot operate in a policy vacuum, and speculative development is still a real threat to our countryside.

The extent of that threat is demonstrated by the fact that approximately 4,500 applications under draft PPS 14 were received between 16 March 2006 and early September 2007. Following the initial judgement given by Mr Justice Gillen on 7 September 2007, a further 1,900 applications for single dwellings in the countryside were received. Most of those were in the Omagh planning division, which covers Fermanagh, where almost 1,200 applications were received by the end of September. Therefore, I consider it prudent to reissue the policy provisions of draft PPS 14 today and to continue to apply them to planning applications received after 16 March 2006 until a review has been completed and new policies have been developed. I will publish a new draft PPS 14 within six months, and that will be followed by a period of consultation.

My statement today is an expression of my Department’s policy made under the powers conferred by article 3 of the Planning (Northern Ireland) Order 1991. It is the duty of planning decision-makers to regard relevant statements of planning policy as legally material considerations, and this is such a statement.

Draft PPS 14 was published on 16 March 2006 by the Department for Regional Development. It was accompanied by a ministerial statement by the then Parliamentary Under-Secretary of State for Northern Ireland with responsibility for the Department for Regional Development, Sean Woodward, which advised that the provisions of draft PPS 14 took immediate precedence over existing rural planning policies and should, therefore, be accorded substantial weight in the determination of planning applications received after 16 March 2006.

The planning policies contained in draft PPS 14 were introduced to address the significant development pressure affecting rural Northern Ireland. Sean Woodward concluded that, in the public interest, action designed to minimise irreversible environmental damage could not be delayed, and, through his statement, he sought to address substantial concerns that the policy direction of draft PPS 14 could be seriously frustrated by a large influx of planning applications.

The introduction of draft PPS 14 provoked a widespread debate about rural planning and more than 8,500 responses were received in the public consultation. A judicial review challenging draft PPS 14 was subsequently lodged. In his judgement of 7 September 2007, Mr Justice Gillen concluded that the Department for Regional Development did not have the statutory power to prepare and issue draft PPS 14.

In light of the court judgement, which was finalised today, I am issuing this statement to advise that, from today, my Department is assuming responsibility for PPS 14 and its ongoing review.

Before the restoration of devolution, all parties on the Preparation for Government Committee agreed that draft PPS 14 should be subjected to a fundamental review and new policies developed. The Minister for Regional Development's proposal to establish an Executive subcommittee to review rural planning was agreed by the Executive in July. The Minister started the review process by meeting a range of stakeholders and, with his agreement, I have taken over as Chairperson of the subcommittee.

Conor Murphy will continue to be involved in that Committee, along with other Ministers who have a policy interest in rural planning.

In taking forward this review, my Executive colleagues and I wish to develop a policy based on the principles of sustainability that strikes a balance between the need to protect the countryside from unnecessary development and supporting rural communities so that they can flourish both socially and economically.

It is my intention, prior to publishing the final rural planning policy document, that there will be an opportunity for all those with an interest in this matter to make their views known through a further public consultation exercise.

In assuming responsibility for PPS 14, I am conscious of the large numbers of people who responded to the public consultation last year, and of the variety of views that were expressed. However, the policy review process remains incomplete, and, in the meantime, there continues to be evidence of a significant threat to the rural environment from development. Therefore, there is still good reason to proceed as previously with a precautionary approach, pending the completion of the review process.

Taking all those matters into consideration, I have decided — in the public interest, and as a short-term interim measure — to today reissue the policy provisions of draft PPS 14 under the powers conferred by article 3 of the Planning (Northern Ireland) Order 1991. Furthermore, I consider that those policy provisions should continue to take precedence over the existing policies of 'A Planning Strategy for Rural Northern Ireland' — which are listed in an annex to my statement, copies of which have been posted in Members' pigeonholes — and should be accorded substantial weight in the determination of any planning application received after 16 March 2006.

In taking this course of action, my officials have carefully reviewed and considered all the steps and procedures followed by DRD in the preparation and publication of draft PPS 14. In addition, I am aware that in the judicial review, there was no challenge of any kind to the substance or the merits of draft PPS 14. I am also conscious that the due process and procedural challenges that were made were all dismissed by the court.

Finally, I note that Mr Justice Gillen, in his judgement of 7 September 2007, observed that:

"had PPS 14 been issued by the DOE the contents might well have been unobjectionable."

The Chairperson of the Committee for the Environment (Mr McGlone): Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement, a copy of which I have received.

Draft PPS 14 has been judged to have been unlawful. A number of cases that fell specifically under the remit of draft PPS 14's farm viability, farm retirement, replacement, and/or infill categories were subsequently refused. As we have found out today, that refusal was based on an illegality. The Minister stated that she considered it:

"prudent to reissue the policy provisions of draft PPS 14 today and to continue to apply them to planning applications received after 16 March 2006".

What advice has the Minister sought regarding the retrospective application of a policy in the context of today's decision? There are numerous people who, having had applications refused under a policy now deemed to be illegal, have justifiable and fair grounds to seek to have those cases reviewed.

I realise that the Minister's first meeting as Chairperson of the Executive subcommittee will in fact be the first meeting of that subcommittee. Will the Minister give an assurance that diligence and some refreshing new enthusiasm will be given to the application and the pursuit of developing a rural planning policy for a rural society? Will the Minister also give some indication as to the timescales that she has in mind for that?

Mrs Foster: I thank the Chairman for his comments. He knows that I approach everything with enthusiasm, and we will be doing so in the subcommittee as well. I pay tribute to the work of the subcommittee to date. There has been a lot of work carried out with stakeholders, and I know that that will continue.

I have already said that I want the review to be focused and time limited. I take the view that we should have a draft policy ready in six months' time. Therefore, what I have announced today is an interim short-term measure which — from a Planning Service and an environmental point of view — is a necessary measure. I am sure that the Chairman will agree with that.

I have taken legal advice in respect of the Member's first point about the legality of decisions that were taken between 16 March and 7 September. The judicial review litigation included no challenge of any kind to the substance or merits of draft PPS 14. All due processes and procedural challenges that were raised on behalf of the applicant for judicial review were dismissed by the court. Bearing that in mind, cases decided during that time under draft PPS 14 will stand.

The judgement that was handed down today by Mr Justice Gillen was a continuation of his judgement of 7 September. He has added a number of paragraphs and, in those, he seeks to distinguish between declaratory relief, which is what he has granted today, and an order quashing draft PPS 14. He explained why, in the public interest, he decided not to make an order quashing draft PPS 14. Much work had been carried out by the Department for Regional Development. Mr Justice Gillen considered all the work that went into drafting PPS 14 and its four-year gestation period. He stated very clearly that that still stands.

Mr Weir: I thank the Minister for her statement, and for the speed with which it has been brought to the House, given that the final judgement on draft PPS 14 was delivered only this morning. In view of the planning and legal mess in which we have been left by direct rule Ministers, people will realise that the interim measure that was announced today is the only feasible option that was open to the Minister, and that that measure will help in getting things right in the long term.

My question follows on from that asked by the Chairperson of the Environment Committee. How will the Planning Service deal with fresh applications in cases where the Planning Appeals Commission has turned down an application on the grounds of draft PPS 14?

Mrs Foster: I thank the Member for his comments. Final judgement was made today, but the Department had a clear view as to where the matter was going because we received 74 paragraphs of the judgement in September.

As for the Planning Appeals Commission, the Planning Service can decline to consider a repeat

application if the original one was refused and, within the previous two years, was also turned down by the Planning Appeals Commission. However, that is a discretionary power, and I will be directing the Planning Service to exercise discretion and accept fresh applications. Therefore, if an application has been turned down by the Planning Appeals Commission in the past two years, I will direct Planning Service to reconsider any new application for that site.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. She is aware that, before the restoration of devolution, parties now represented on the Committee for the Environment reached a consensus on rural planning and rejected draft PPS 14. I hope that Members' remarks reflect that.

Sinn Féin has completely rejected draft PPS 14, and responded to it in a document of June 2006. As a matter of priority, will the Minister outline her immediate plans for dealing with this issue, not only in the forthcoming review, but in the development of a new policy? When will the Executive subcommittee meet? Are resources in place to ensure that a proper planning policy for sustainable rural communities is developed?

Mrs Foster: I am well aware of the difficulties of all the political parties with draft PPS 14; the Member's party is no exception to that.

2.30 pm

It may be helpful to set out the list of policies that the Executive have asked the subcommittee to consider during its review. Those include whether we should have a localised policy; farm viability, which was mentioned by the Chairperson of the Environment Committee; the role that replacement dwellings should have in a new policy; the role that social and affordable housing will have in a new policy; farm clusters; whether environmentally friendly housing should be addressed by a new policy; health and personal circumstances; and economic development. Moreover, the issue of kinship has been raised several times. We are considering that and whether we should continue with the language of presumption in favour of, or against, a development.

The subcommittee is examining those issues, and much good work has been done. It is not the case that the subcommittee has not been working, and we will continue in partnership to make a policy of which everyone in the Chamber may have ownership. Part of the difficulty with draft PPS 14 was that no one felt any ownership of it, and people, therefore, felt that they could attack it.

We must take into consideration the environmental impact and those who live in the countryside, bearing in mind what we can do for them on a social and economic basis. Furthermore, we must be aware of our environment and, this morning, that was referred to as one of the key strategic aims of the draft Programme for

Government. We would do well to recognise the importance of the environment from the perspective of both the natural and built heritages, and I will give cognisance to that in any new draft PPS 14.

Mr Gardiner: I thank the Minister for bringing her long-awaited statement to the House. There has been great confusion in the Planning Service, particularly in relation to applicants. Will the Minister ensure that a revised rural-planning policy takes account of the needs of the rural economy, the social cohesion of rural communities, and a sustainable rural environment? Following the court ruling, will the Minister also consider refunding those people who were turned down by PPS 14, or will the Department of the Environment write to all the refused applicants and ask them to resubmit their applications for further consideration?

Mrs Foster: I addressed the first issue in my last question when I said that I will look at economic development in the countryside and environmentally friendly housing. Sustainability must be at the heart of a new planning policy to be endorsed by the Assembly. Undoubtedly, any such policy will cause great debate in the Assembly in the near future.

The honourable gentleman has raised the issue of fees before. I have no provision in law to waive the fees of those who made applications between 16 March 2006 and 7 September 2007. The cost of processing their applications is unrecoverable and has already been used. Those people may reapply in relation to their site; however, they may wish to reapply after the new draft PPS 14 is in place, rather than under the current draft.

Those people who have submitted applications since 7 September, of which there are a considerable number, will have the option to withdraw their applications, and will be offered refunds. The Department is taking that exceptional measure in unusual circumstances. There was a hiatus between the first and final judgements, during which many people rushed to submit applications as they thought that PPS 14 had ended. In such exceptional circumstances, it is fair that they should be given the opportunity to withdraw their applications and wait. The measure is exceptional, and planning officers will write to all those concerned to ask them whether they want to withdraw their application.

Mr Ford: On behalf of my party, I thank the Minister for the content of her statement, particularly the recognition of the necessity of the precautionary approach at this stage, and her recognition of the courts' decision that there is nothing fundamentally wrong with PPS 14.

I want to correct a minor mistake that the Minister made when she said that prior to the restoration of devolution, parties on the Preparation for Government Committee agreed on the need for fundamental review. She will find that it was the four parties that were on

the Programme for Government Committee that agreed on that; the fifth party, which was excluded from that Committee, most certainly did not agree.

First, given the current pressures on the Planning Service, particularly with regard to staffing, can the Minister tell the House what implications the decision will have on other planning policy statements that are currently the responsibility of the Department for Regional Development rather than the Department of the Environment? Secondly, what resources will be transferred as a result of today's statement? Lastly, what further resources may be needed in order to ensure that those other planning policy statements can also be dealt with properly?

Mrs Foster: The Member is absolutely right: that was, of course, a mistake — I should have said “the Programme for Government Committee”. I recognise his party's view on the matter. I hope that my statement reflects all the views of all parties in the Chamber.

My Department is currently in discussion with DRD about which of the other planning policy statements that remain with it at present should be transferred and which resource allocations should follow them. Obviously, the regional development strategy will remain with DRD. However, the Departments are actively discussing what should happen to the other planning policy statements.

Mr I McCrea: I thank the Minister for her statement. It is about time that the policy found its way home to the Department of the Environment, which is where it should have been in the first place.

I am concerned at the number of applications that have been lodged since 7 September 2007, and I welcome the Minister's announcement that those applicants will have the right to withdraw them and that refunds will be given. Given the Minister's legal background, can she outline for the House exactly what the judgement means for planning, particularly with regard to PPS 14?

Mrs Foster: I thank the Member for his question — I think. *[Laughter.]*

As the Member will be aware, and as Mr Ford has already mentioned, there was no challenge during the judicial review litigation to the substance and merits of draft PPS 14. The court dismissed all due process and procedural challenges that were raised. The judge has in effect concluded that the Department for Regional Development did not have the statutory authority to promote draft PPS 14, and that only the Department of the Environment has that power under article 3 of the Planning (Northern Ireland) Order 1991. In fact, the judge said that had DOE issued draft PPS 14, it may have been unobjectionable. Essentially, the judge is saying that the DOE should have issued draft PPS 14 in the first place, if that was what it was minded to do.

I do not wish to pass the buck to Mr Justice Gillen. However, it would be helpful to tell the House what he said in court, because it makes a distinction between the effect of declaratory and certiorari relief. He said that the former is:

“a formal statement by the court pronouncing upon the existence or non-existence of a legal state of affairs. It is not capable of being coercively enforced. It states the existing legal position and opens the way to the use of other remedies for giving effect to it, if that should be necessary. It is particularly appropriate where it is undesirable for a decision to be rendered a nullity for all purposes.”

In other words, the judge said that draft PPS 14 was not null and void but that it is now being declared illegal.

In contrast, certiorari is a quashing order in the sense that it destroys the legal validity of the action that is quashed by the order. The remedy given by Mr Justice Gillen was a declaratory order that states that draft PPS 14 is illegal for the reason — and for no other reason — that it was made by the wrong Department.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Given the fact that draft PPS 14 lacked public input and was so contentious, what format will the public consultation on the new PPS 14 take? How comprehensive will that exercise be?

Mrs Foster: Part of the difficulty was that there was no devolved Government at that time, and no input from locally elected Members who knew Northern Ireland's countryside and how it works. In that respect, the situation has been remedied, and the subcommittee has already spoken to stakeholders. We will take that work forward and I hope that in six months' time, we will be able to publish our new draft PPS 14 for consultation. I have no doubt that it will reflect the views of the Chamber given that the Ministers involved are broadly reflective of the Chamber.

Lord Morrow: I, too, welcome the statement because it brings closure to an unsatisfactory situation that has been ongoing for some time. I also note in the Minister's statement that she felt it worthwhile to bring to our attention that 1,900 planning applications for single dwellings in the countryside have been received. Furthermore, she said that most were for dwellings in the Omagh planning division, and that almost 1,200 had been received for dwellings in Fermanagh by the end of September. What significance does the Minister draw from those figures? In addition, will she tell the House that she will be assuming responsibility for all planning policy statements as of now? Will she also tell the House whether that is a tidying-up exercise? Will she tell us that her Department will deliver on all planning policy statements — something that the direct rule Minister with responsibility for planning, but who seldom got anything right, could not do?

Mrs Foster: The Member has highlighted one of the reasons why it is important to stop the confusion

that the general public feels about the status of draft PPS 14. I am sure that many Members will agree that there have been wild rumours circulating about there being an opportunity to submit planning applications that would not be judged under any rural planning policy — that it would be, basically, a free-for-all. I was determined that that would not be the case.

The judgement was given on 7 September 2007. As the action was brought by a council in the west of the Province, it is no coincidence that many planning applications are sitting in the planning office in that division. The applicants will be written to and will be given the opportunity to withdraw their applications at no cost to themselves. They will be able to get a full refund, and each of them should consider the matter carefully.

I have indicated that there is ongoing discussion about my Department taking responsibility for all planning policy statements, and we will have to come to a decision quickly. My Department will also have to be given the resources to undertake that function. The regional development strategy will remain with the Department for Regional Development. However, there is a need to bring clarity as regards the other planning policy statements.

Mr Kennedy: I thank the Minister for making her statement to the House. What is the position regarding those planning applications that were refused under, what might be described as the original PPS 14? Potentially, those applications were subject to appeal. Will the Minister and her Department consider allowing people who were refused planning permission under the original PPS 14 a concessionary fee when re-submitting an application when a new planning policy has been established?

Mrs Foster: The planning applications that were determined during the period 16 March 2006 to 7 September 2007 were determined under the policy that pertained at that time. The application fee has been expended as far as the Planning Service is concerned.

If the Member is asking me whether people will be able to lodge fresh planning applications and whether they will be dealt with as if the site were blighted, the answer is that the site will not be blighted under the old policy. We will look at the prevailing policy at the time of the determination — that is the new policy that will be in effect when the new applications are lodged.

2.45 pm

The Member mentioned the possibility of a reduction in fees. Some Members believe that I do not charge enough for planning applications and that the fees should be increased. I have no facility to ask for a lesser fee if a decision has already been determined under draft PPS 14.

Mr Gallagher: I welcome the fact that the Minister has made a statement on PPS 14, but I have some criticisms of the content of the statement. Most Members will know that, for people in rural areas, one day of PPS 14 is one day too many. Although I have some sympathy for the Minister's position, she has told us that PPS 14 will, in effect, be extended for another six months, after which there will be a consultation period — that could mean an extension of nine months, in total. Moreover, the legislative stage will follow the consultation period, and that could take a further nine months. Thus, the time frame will be longer than has been portrayed in the statement.

I ask the Minister to reconsider this matter. How long will the consultation period be? It does not have to be three months. Reference has been made to the report of the Committee on the Preparation for Government, which will help to shorten that process and ease the waiting period for so many.

The Minister also mentioned the earlier consultation period and the variety of views that were expressed. Can the Minister clarify some of those views? As I understand it, the majority of views expressed were very clearly opposed to draft PPS 14, and I would like some confirmation of that.

Mrs Foster: I thank the Member for his comments — I think. I thank him for his initial comments, at any rate.

I want to explain the matter to the Member. I have already said that the review of draft PPS 14 will be focused and time-limited. The new policy will go out for consultation in six months' time, and, at that stage, the new policy will become draft PPS 14. The current PPS 14 will then fall. The Member is right; the new draft PPS 14 will go out to consultation, and it will be confirmed. I hope that the Member appreciates that I am trying to make the timescale as short as possible. I think that he will agree that we have to get the policy right this time.

Some of the issues involved are very complex, and it is important that we take on board the views that will be expressed by the Executive subcommittee and other stakeholders. The decisions that we hope to put before the people in six months' time will have far-reaching consequences for the environment, rural people and anyone with an interest in the future of the countryside. Although I want the review to be focused and time-limited, I am aware that we must get on with the job and ensure that the policy that goes out to consultation is the right one.

Like myself, Mr Gallagher is from a rural background, so I know exactly where he is coming from. However, a variety of views have been expressed, many of which have been aired in the Chamber today. Concerns have been raised about environmental issues and, as Minister

of the Environment, I must take all those views into account. Each view will be given its due weight and will be considered by the Executive subcommittee. Indeed, I am sure that many Members will also put their views to me.

Mr Buchanan: I am glad that PPS 14 now falls within the remit of the Department of the Environment — the Department that should have responsibility for it. I am glad that the matter has been cleared up. I thank the Minister for bringing this statement to the House so swiftly.

I ask the Minister to clarify whether the new policy will allow for any flexibility in respect of vernacular buildings. That issue is currently causing a conflict between the Housing Executive and the Planning Service.

Also, will any clear guidance be given to Planning Service divisions regarding applications of that nature that are already in the system?

Mrs Foster: I will answer the Member's last point first. If there are applications in the system that come before councils prior to the new policy's being implemented, I will allow councils to defer them until it is implemented. That includes vernacular buildings, which are part of the subcommittee's discussions and have been mentioned to me by a wide range of councillors and MLAs from rural areas. That will form part of our deliberations. At present, the role of vernacular buildings in the countryside is — as the Member rightly said — covered by draft PPS 14 and is within the ambit of the review. The Department will continue to discuss the matter with stakeholders and interested Members.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Given her rural background, the Minister will be well aware that she carries the rural community's hope that the unlawful draft PPS 14 will be succeeded by a policy that is more sympathetic to them. Draft PPS 14 has had a hugely negative impact on rural communities. Will the Minister take full account of the rural stakeholder consultation events that have already taken place in the Ballinascreen and Draperstown area and in county Armagh? Those events were hosted by the Minister for Regional Development, Conor Murphy, and I hope that the Minister takes full account of what was said at them.

Will the Minister begin to look at a policy that gives some advantage to family members — the "kinship clause" that has been referred to? Personal circumstances are also a big issue. I am thinking about specific families where one family member has a major health requirement; they are very worried and want the Planning Service to adopt a more sympathetic attitude.

Finally, there are many applications that were submitted to the Planning Service before March 2006 but returned to the applicant because of minor errors in

the application — for example, the misspelling of a townland name. When those applications re-entered the system after 16 March 2006, they were subject to the rules of draft PPS 14. Will the Minister consider revisiting those applications, which were submitted before 16 March 2006 but validated after that date?

Mrs Foster: The Department will take all the rural stakeholder events, and the issues that emerged from them, into account. As I said, Conor Murphy will continue to sit on the subcommittee, as will the Members who have been sitting on his subcommittee. I have already met the GAA — a body close to the Member's heart — to discuss draft PPS 14.

The Member also mentions health, personal circumstances and kinship, which are matters that are being addressed, and will continue to be addressed, by the subcommittee. The Member made a specific point about applications validated after 16 March 2006 — there were a number of such applications in the Omagh area, and in other areas. Any planning application that was not validated before that date was treated under draft PPS 14. There is nothing that I can do about that because the date was set by the previous Administration.

Mr Shannon: I thank the Minister for her response; she has taken the policy out of no-man's-land and into her Department. With no disrespect to anyone else in the Chamber, she has made sure that draft PPS 14 will be reviewed and new policies developed by her Department, which is good news. Does the Minister agree that PPS 14 has been draconian and discriminatory, and the quicker that it is replaced the better?

Out of the 8,500 responses that the Minister said that the Department received to the public consultation, can she tell the Assembly how many were opposed to draft PPS 14? I understand that a vast number of people were against it. Is the Minister carrying out a review of all draft PPS 14 regulations as part of the review, or just the operation of draft PPS 14 in the first six months?

The consultation that the Minister is establishing will include local councils. Sometimes, local councils need to be reassured. Can the Minister assure us that, when the consultation documents are sent to the local councils, and they reply, their viewpoints will be taken on board and that the consultation process will not be the subject of mere lip service?

Mrs Foster: The Member probably asked about 10 questions, but that is no surprise. First, DRD would not like to be characterised as no-man's-land, but I am sure that the Minister for Regional Development will take that up himself on some occasion.

The Member is right to state that a higher number of consultees complained about draft PPS 14 from the point of view of not being able to develop in the countryside, than from an environmental perspective.

However, I want to get away from the divisive argument that if someone is pro-development, they are anti-environment, and vice versa. The Department wants a policy that everyone in the countryside can buy into. It is divisive to get stuck on terms such as “pro-environment” and “anti-developer”. I do not want to engage in the use of those types of terms when introducing any new policy.

The Member is a councillor, and he knows that I have been working closely with local government in another area — the review of public administration — and we have been working well in partnership. Any time local government brings me an issue, I seek to address it, and I will do the same in respect of consultation on planning policy.

Mr Wells: I welcome the Minister's statement. Did the Minister see the pain on the face of the Minister for Regional Development at having responsibility for rural planning policy torn from his bosom and brought to the Department of the Environment? Can she see his angst at the prospect of other contentious planning policy statements being torn from his Department and taken to the DOE? Perhaps that is not as evident as some Members might suspect.

On a more serious note, I welcome that development, and I refer to three written answers that the Minister has given me in recent weeks, which graphically illustrate the difficulties that her Department faces in dealing with that policy. First, in the year leading up to the introduction of draft PPS 14, 15,000 applications for single dwellings were lodged at divisional planning offices in Northern Ireland. No one will convince me that all 15,000 of those were deserving cases; there must have been a large element of speculation among those.

Secondly, since 7 September, when Mr Justice Gillen made his initial judgement, there have been 1,900 applications for single dwellings on the mere hint that draft PPS 14 may collapse.

Thirdly, in a written answer to me, the Minister stated that the Planning Service is short of 72 members of staff. Does she agree that any decision other than the one that she made today would have opened the floodgates and put the Planning Service under the most enormous pressure, which, given those statistics, would have been impossible to sustain.

Mrs Foster: I thank the Member for his comments. I will not make any comment on the state of mind of the Minister for Regional Development about the policy passing to DOE; I will let him do that himself during his next ministerial statement or at Question Time.

The Member well knows, along with the rest of the House, that there are considerable pressures on the Planning Service. That is something that the Programme for Government seeks to address, and, hopefully, those pressures can be relieved soon. However, that is not

the main reason for my statement; rather it is to protect the environment in Northern Ireland and to ensure that the speculative development to which the Member referred does not take place, and that there is no window of opportunity for people to do whatever they like.

3.00 pm

It is vital to have a balance, and that will be achieved in six months' time. The difficulties of the Planning Service were secondary to what I was charged to do in my ministerial role.

PRIVATE MEMBERS' BUSINESS

IVF Fertility Waiting Lists

Mr Speaker: The Business Committee has agreed to allow up to one and a half hours for the next debate. The proposer of the motion has 10 minutes to propose and 10 minutes for the winding-up speech. All other Members are allowed five minutes to speak. One amendment has been received and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes for the winding-up speech.

Mr Attwood: I beg to move

That this Assembly calls for a review of the policy on IVF fertility waiting lists, including urgent consideration of the introduction of age-weighting criteria.

I thank those who agreed to the motion's being debated in the House. I give particular thanks to the British Medical Association (BMA), the researchers in this Building and the Infertility Network UK for their briefings.

I must walk gently when talking about IVF, because I walk on the hopes and disappointments of many families in this part of the world. At the start of the debate, it is important to record that, prior to 2001, there was no publicly funded fertility treatment in Britain or Northern Ireland. Therefore, the situation is much better now than in the latter years of the twentieth century. In the past year, changes to the criteria governing treatment mean that women up to the age of 40 can now receive treatment.

When the policy was changed a year ago, the Department stated that it would request that:

"Boards monitor referrals and waiting times for treatments over the next 12 months. This will facilitate assessment of the demand for services and the capacity of the RFC to meet that demand."

I met the Minister in September to urge that his Department conduct that review. Earlier this month, he replied that he would ask the boards to review the impact of the new criteria for access to publicly funded fertility services and specifically report on referrals, patient activity and waiting times. Although I welcome that commitment, I urge the Minister to instruct his Department to conduct a fully fledged review into all matters arising from access to fertility services in the North, rather than leaving it to the boards. Whether the review is conducted by the Department or the boards, several matters must be addressed, and I ask the Minister to comment on them during the course of the debate.

The National Institute for Health and Clinical Excellence (NICE) recommends that couples receive three cycles of IVF treatment. However, in September 2007, the Department of Health, Social Services and Public Safety in Northern Ireland issued guidance that offered only one cycle. Therefore, I ask the Minister to

confirm whether he and his Department will work to achieve the NICE recommendation of three cycles. In July 2007, the Department of Health in England sent a note to primary care trusts advising that they work to a three-cycle treatment programme. Has the Minister's Department issued any similar advice here? The clinical evidence is that one cycle of treatment is often a trial run and that the second and subsequent treatment cycles are those that may deliver success.

I ask the Minister to explain what is meant by a cycle of treatment. When a woman's eggs are being harvested, additional valid eggs are often stored for potential use.

There is a view that, in addition to a first implantation of an egg or eggs, a cycle of treatment should enable subsequent implantation of a further egg or eggs, given that they are in a valid state, where there is as a consequence limited cost to the Department's budget as the subsequent treatments have reduced drug requirements. I ask the Minister to confirm whether the review, however it is constructed, will address that matter.

I also ask the Minister to confirm whether the review will deal with the issue of waiting lists generally. As of May, there were 27 patients in Northern Ireland who had been waiting for more than 24 months; 48 patients who had been waiting for between 18 and 24 months; and 63 patients who had been waiting for between 12 and 18 months. There is some guidance in England that there should be an 18-week waiting time for all medical interventions. Can the Minister confirm whether the review will address the length of waiting lists? Will it address the issue of an 18-week limit on waiting lists and, if not, will resources and capacity be built up to enable women who have been waiting for many more than 18 weeks for treatment to have it in much less than 18 or 24 months?

In September 2006, the Department confirmed that an additional £50,000 per annum would be allocated towards the enhancement of existing counselling services, with the requirement that access to the services be equitable across Northern Ireland. Some people who have knowledge of these matters advise me that that money may not have been spent. In any case, the intention behind building up money for counselling services to provide better services across Northern Ireland, and in particular in the north-west, has not been fulfilled, and is not fulfilled by having a counselling outreach facility in Cookstown.

My interest in this issue was prompted by a couple who came to me anxious that the woman in the relationship was approaching the age of 40 and would, therefore, be "discharged", as hospital people say, from the medical regional waiting list. It so happens that, in the past two weeks, she has passed 40 and been discharged, when she was around tenth on a waiting list of 500. I have the authority to refer to those people's circumstances

in this debate. I have to say to the Minister, to the Department and to the House that that situation should not have arisen.

It seems to me that, during the stewardship of the current Minister and that of the previous, direct rule Minister, Paul Goggins, this issue was not properly addressed. Why do I say that? If the criteria were changed in September 2006 to enable women to get treatment up to the age of 40, when the previous limit was 38, it should have been anticipated that there would be a spike of people going on the waiting list who may have been over the age of 38, in advance of their turning 40. In those circumstances, it seems to me that the Department should have legislated to legally and properly accommodate those couples and those women. However, in correspondence to me, the Department maintains that:

"a process that awarded priority to any particular group of women would have a negative impact on others awaiting treatment and would seriously compromise the ability to ensure that the population have equitable access to specialised fertility services."

I agree with that. Of course, if you treat older women approaching the age of 40 before they fall off the list and ahead of any other age category, it has a negative impact on younger women, because they have to wait longer. However, the test is not about what the negative impact on younger women is; the test should be whether that impact is disproportionate compared with the impact on the older women who get treatment.

I have said to the Minister that earlier treatment of a woman because of her age, and who is, therefore, disadvantaged, does not have a disproportionate impact upon the treatment of a younger woman. If the older woman does not receive treatment, she will never receive it. Over recent months, I have put that issue to the Department of Health, Social Services and Public Safety, but there has been no concurrence.

I urged the Department to run a computer programme whereby all details and profiles of the women on the waiting list could be compared to determine whether there was indeed a disproportionate impact upon younger women. As far as I know, that simple exercise has not been conducted.

Moreover, I outlined a series of measures by which, legally and properly, women who approach the age of 40 could have treatment without significant disadvantage to women of any other age group. None of those proposals was accepted by the Department.

I urge Members to support the motion and encourage the Minister to introduce legal and proper mechanisms to ensure that the example of a couple who, two weeks ago, lost out on IVF treatment, is not duplicated in other parts of the North.

Mrs M O'Neill: I beg to move the following amendment: Leave out all after "calls" and insert

“on the Minister of Health, Social Services and Public Safety to commence a comprehensive review into the current criteria used to assess eligibility, including the age weighting criteria, the ongoing problem with waiting lists, and the number of IVF treatments available on the NHS, with a view to establishing a more equitable and accessible policy.”

Go raibh maith agat, a Cheann Comhairle. I thank the Member for bringing this very important topic to the House. The amendment has been put forward with a view to establishing a more equitable and accessible policy. It enhances the motion, and calls for a comprehensive review of the criteria currently used to assess eligibility, including age-weighting, the ongoing problems with waiting lists, and the number of IVF treatments available on the NHS. I recognise, however, that there have been recent improvements in criteria and availability.

I immediately took an interest in the motion, because friends and members of my family have been in that situation. They have made numerous hospital visits and undergone test after test. They have described the experience as an emotional rollercoaster — a journey that was, from start to finish, painful.

It took six years for one couple that I know to find the courage to visit their GP. Surely that is not acceptable. We must ensure that that is not allowed to continue. The overall impact of a couple's inability to conceive cannot be underestimated. We must be concerned about the effect on the couple's mental health and the knock-on effect on their family circle. As elected representatives, we have a duty to ensure that an adequate support service is in place to meet their needs.

3.15 pm

In 2001, my party colleague Bairbre de Brún announced her intention to consult on the future of fertility services and, thankfully, she introduced interim criteria to carry us through until the outcome of the consultation process. For the first time in the North, IVF became available as a publicly funded service.

Although those measures were not ideal, they were an improvement on the previous situation and were carried forward on the recommendation of the Regional Medical Services Consortium. They continued until 2006, when the British direct rule Minister Paul Goggins introduced revised criteria as the outcome of the process that had begun five years earlier.

The changes impacted on several areas; for example, the upper age limit for women who use their own eggs was changed from 37 years old to 39. That was a welcome improvement. Couples with dependent children who live with them are now able to access publicly funded services. That, too, must be a welcome development, because the previous criteria led to an inequitable situation that discriminated against a partner in a new relationship who had no children from a previous relationship.

Another welcome development is that couples who have been diagnosed as infertile will no longer be subject to a qualifying period before being eligible for publicly funded treatment. However, those with unexplained infertility still have to complete the three-year waiting period, and that must be disappointing for them.

As Alex mentioned, one of the main downsides of the revised measures is that couples will be offered only one cycle of publicly funded IVF treatment.

The flexibility to provide more than one cycle of treatment will depend on the demand for the service and on the funding available. We should all share that concern, as it may mean a return to the postcode lottery for those who need to access the service. If there is a high demand in a trust area, couples may suffer. We should not stand by and allow that to happen: we must nip it in the bud now. The issue must be addressed through a review.

The Infertility Alliance has broadly welcomed the new changes. However, it is deeply disappointed that the NHS will now only guarantee one cycle in contrast to the two-cycle minimum under the interim arrangements. We call on those boards that provide two cycles to resist the temptation to cut their service levels. Two or three cycles of IVF are normally regarded as the optimal treatment approach, and the National Institute for Health and Clinical Excellence advises providing three cycles of treatment. A senior lecturer in reproductive medicine at the University of Bristol has said that three attempts would be acceptable, as that would offer couples a 50% chance of conceiving. Surely, we must take those comments on board, and the Department must take them into account in taking forward a review.

The other area that must be addressed is support and counselling for couples who are going through the IVF process. There are many pressures on couples as they go through the process. We must ensure that sufficient resources are in place to support groups such as the Stork infertility support group, the Tiny Feet infertility support group, and the Craigavon patient support group. I am sure that those groups offer wonderful support, but we must ensure that we further develop that and identify whether new groups are required.

In conclusion, I ask the House to support the motion and amendment. In doing so, we will send a clear message to the Minister that we want a consistent, equitable and accessible service for those who need it. I have outlined some of the concerns. There is a common thread in what I have said and in what the proposer of the motion has said.

Mr Speaker: The Member's time is up.

Mrs O'Neill: I am nearly finished anyway. I hope that the Minister takes on board what has been said in

the debate. We have an opportunity in this new Assembly to carry out a comprehensive review that reflects the needs of those who are going through this difficult process.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson):

I support the amendment because it includes more detail. The matter before us is, undoubtedly, very emotive. Some complex issues must be considered. There are difficult questions about how and where precious resources ought to be directed. Fertility services occupy a particular category in the health care sector, as they do not deal with life threatening illnesses and the patients are not in pain — physically anyway. Some would question the degree to which such treatments should be freely available through public money. Undoubtedly, however, fertility services are incredibly important, and denial of such treatments can prove traumatic to the couples affected. Furthermore, we must consider how we should manage access to treatments that are considered to be expensive. We must also predict the expected level of demand in the future, and the services that we will need to deal with that.

I am always saddened when I hear about young couples who have difficulty in conceiving a baby, especially when they are unable to avail of fertilisation services due to the great expense. Raising the money to pay for IVF treatment presents a terrible dilemma for individuals, as success can never be guaranteed. Indeed, success in the first attempt at anything is always unlikely. Recent statistics indicate that the success rate for IVF is as low as 15%, with only 19% of women who embark on such treatment ever having a baby. Couples who have experienced unsuccessful attempts have the added fear that they will be deemed unsuitable for further attempts.

It is absurd that, for a long time, access to IVF treatment has been variable across the United Kingdom. Depending on where someone lived, they may have been entitled to free IVF treatment on the National Health Service, while their neighbour a few hundred yards away may have had to fund the treatment themselves. The total cost of providing IVF treatment often extends to many thousands of pounds, which puts it beyond the reach of many couples.

Recent improvements in the success rates of fertility treatments are encouraging, but a wide disparity in results remains between different clinics. The UK public ought to be able to expect more standardised fertility service outcomes. Many young couples in Northern Ireland are unable to avail of IVF treatment because of the cost. I have sympathy with the suggestion that special consideration should be given to how women at the upper end of the permissible age spectrum can be accommodated. Couples are frustrated that waiting lists and waiting times have been so long.

Reaching the stage at which treatment is eventually obtained tends to follow a number of appointments to assess suitability and carry out further investigations. Patients can feel as if they have been dragged from pillar to post, and all the while, time is moving on, and the cut-off age at which certain treatments are allowed is coming closer. A couple who contacted my constituency office described a sad catalogue of experiences. When they were referred by their general practitioner, they were comfortably within the appropriate age range for all treatments. However, long waits and cancelled appointments meant that when they were finally deemed ready to be treated, the upper age limit for the only treatment that would make a difference had been exceeded. Appointments had to be cancelled because the consultant was ill, or on holiday, and the couple missed the age deadline to receive treatment.

Imagine the resources that had been used to get that couple to that point, all to no avail. If we are to place a special emphasis on those women who reach the upper age limit for treatments, we must consider other possibly relevant criteria. For example, some might make a distinction between couples who have no children and those who seek fertility treatment having already had children. One partner in some couples may have had children in a previous relationship. I hope that the Minister will investigate the procurement practices and use of particular drugs and treatments at the regional fertility centre as part of any review that may occur. In previous years, there would appear to have been a preoccupation with particular drugs when less expensive versions were available and proven to deliver equally successful outcomes.

It is crucial that the resources directed towards fertility services are used wisely. Excessive spending for no gain only reduces the number of couples who can be treated over any given time frame. I support the amendment.

Mr McCarthy: I thank the Member for West Belfast Mr Attwood for securing a debate on such an important subject. It is recognised that once people get access to IVF treatment, the vast majority of recipients are delighted with the quality of care that they receive. In 2006, Northern Ireland's fertility clinics obtained extremely high satisfaction scores, with more than 80% of recipients having had satisfactory experiences and outcomes. However, despite the excellent quality of care in fertility clinics and the sterling work of their staff, access to such a clinic is a very different matter.

Waiting lists have already been mentioned. They are far too long, and remedies must be found to ensure that all those women who require this provision can receive it. As I understand it, there seems to be a postcode lottery for IVF treatment across the UK, with wide variations in waiting times for that treatment. I use the word "treatment" deliberately, because infertility is an

abnormality that can, for many, be addressed successfully. Everyone, regardless of postcode, should be entitled to receive fertility care. However, the UK is the poor relation of Europe for fertility treatment. That is why many Spanish clinics, for example, are making a good profit from treating couples from the UK, including people from Northern Ireland, who cannot get treatment at home.

Infertility is not a rare problem. As many as one Northern Irish couple in six are affected by fertility issues. What can be done to change the situation? Some people say that donors are put off by the lack of anonymity, while others point to the lack of investment in NHS clinics and the insufficient numbers of embryologists. Those are good points: supply cannot meet the current demand for treatment. Neither is it acceptable to continue the current situation, where many people are told to opt for private healthcare — a course of action that many cannot afford to pursue.

I understand that the cost of private IVF treatment in the United Kingdom can be as much as £100,000, and that is certainly beyond the reach of a lot of people. One relatively low-cost step that might be taken is a public awareness campaign to highlight the length of IVF waiting lists and to challenge the social stigma surrounding donation and infertility. With such a poor donation rate in Northern Ireland, we must look at what steps other European countries have taken to encourage donation.

I thank the Member for West Belfast Mr Attwood for raising the issue of age-related criteria. Ageism in all its forms is unacceptable and should be a thing of the past. We must ensure that our waiting lists are managed properly. As long as we are short of capacity, we must ensure that the couples who are in most need — particularly those who are in the upper age range for eligibility for the treatment — are given some sort of priority access.

The best long-term solution is to encourage more donors and train more embryologists, as has proved possible in other European countries. To do that, we must challenge the stigma surrounding donations; raise public awareness of the need for donations; and learn from our European neighbours how to encourage people to become donors or train as embryologists. I support the motion and the amendment.

Mr McCallister: This is an emotive topic to bring to the Floor. It might well be useful for the Health Committee to discuss it in greater detail and hear from the Minister, the Department and the relevant experts — the clinicians.

The subject of IVF waiting lists is, as I said, emotive, particularly for couples affected by fertility problems. However, in a world of health budgets, it is unfair to raise false hope among infertile couples and lead them

to believe that an Assembly motion, proposed by a Member with no Executive responsibility for health matters, will somehow change things. Is that even the best way forward?

Today, we heard some of the figures for the Department of Health, Social Services and Public Safety's budget, and they will hit these types of services hard. I am sure that the Health Minister will say more about that in his speech.

IVF treatment has been available on the National Health Service in Northern Ireland since December 2001. Its associated costs are a major reason for not expanding the service. The NHS estimates that the average cost of one cycle of IVF treatment is £2,771. Since 2001, the interim service has been provided with a cost envelope of expenditure of £1.4 million per annum. It has, therefore, been necessary to restrict access to the service. This lack of resources is the main reason why IVF treatment is not more freely available.

The upper age limit at which female partners using their own eggs can access publicly funded IVF treatment was raised from 37 to 38 in October 2006 and from 38 to 39 in April 2007, and an additional £50,000 was made available for counselling services in 2006.

That is, of course, an important measure.

3.30 pm

Health and social services boards do not always have detailed figures for fertility service waiting times. The Department has proved to be responsive, with a tranche of reforms and measures over the past few years. However, the Committee could look at the subject in much more detail than the Assembly would be allowed to do. The Member has raised an important issue.

Mr McCarthy: Not that long ago — possibly in August — I proposed that the Department for Regional Development should provide free transport to the over-60s. Thankfully, the announcement on that matter was agreed today. Does the Member not think that by bringing this important subject to the Floor of the Assembly that the Minister of Health, Social Services and Public Safety might be minded to do something similar in the not too distant future?

Mr McCallister: First, it probably was not in August —

Mr McCarthy: It was in August — 19 August — that I brought the matter to the Floor of the Assembly.

Mr McCallister: In here?

Mr McCarthy: Yes.

Mr McCallister: Was the Assembly not in recess? I doubt that it was in August. However, if the Member says that it was — *[Interruption.]*

Mr McCarthy: It was on the Floor of this Assembly anyway.

Mr McCallister: That is probably why the Member got it passed. *[Laughter.]*

I take the Member's point. We were all very supportive of that measure — particularly my colleague for North Belfast Fred Cobain, and I am sure that he will welcome it.

We are looking at a fairly meagre increase. Taking inflation into context, there may almost be a cut in health spending. Set against a backdrop of delivering the other measures that the Assembly has made it clear that it wants, such as free personal care, and given that the Minister and the Department may not have the resources to deliver, we do not want to be raising false hopes.

Mr Buchanan: I support the amendment, as it is fuller and gives more detail on the way forward. The motion will generate interest in many couples across Northern Ireland. In 2006, a leading Belfast doctor estimated that 40,000 couples in Northern Ireland suffered from infertility. For many couples seeking to start a family and who are faced with the difficulty of infertility, few Members, if any in the House, can begin to identify with them or understand the frustration, anxiety and pressure that that can bring to bear on a relationship or on a married couple.

Many couples see IVF treatment as the lifeline to resolving their problems. However, it must be noted that IVF is successful in only a percentage of cases. Although 30,000 women in the UK undergo IVF treatment each year, statistics show that it results in approximately 8,300 births, which is less than a 30% success rate.

However, it must be acknowledged that there is a growing demand for IVF treatment. Although demand for treatment among women in their forties has soared, statistics show clearly that older women have a lower overall success rate. For example, in 2004, women who underwent fertility treatment at 28 years of age had a success rate of 25·7%, while women of 40 years of age had a success rate of only 11·8%. Therefore, in light of that, it is important that the waiting lists should be addressed urgently.

It is a dangerous scenario for couples to think that simply because IVF treatment is available, they should delay their attempts to start a family until later in life when they have finished a career or feel more ready to settle down.

The matter of IVF treatment is complex. It presents difficulties for some Members because it is so expensive and is not always successful. During IVF treatment, many embryos are created in the laboratory. They are then graded, and at least two or three are transferred

into the womb. The remainder are frozen or, if they do not look healthy, they are discarded.

Some of us believe that life begins at the point of conception. Therefore, life has begun before the embryo is implanted in the womb in order for it to complete its development. As soon as an embryo exists, it has the full status of any other person. To disregard the embryo in that way is to kill it, which, in reality, is abortion. Nevertheless, some fertility clinics in Northern Ireland have enrolled infertile couples in IVF programmes on the proviso that only two or three embryos would be produced for implantation. None would be frozen, meaning that there would be no question of any fatal reduction in numbers.

With that in mind, it is important not only to address the issue of waiting lists and age-weighting criteria but to consider the wider aspects of such treatment. The NHS was founded on the principle of fair and equal access to healthcare services for all, yet, clearly, current IVF-treatment policies are neither equal nor fair and are failing many people in Northern Ireland. I support the amendment.

Mr Easton: It is ironic that earlier this week the Assembly dealt with the subject of abortion and that today, Members are discussing the availability of IVF treatment. It was interesting to hear how those who campaign to make abortion more widely available reacted to the Assembly's call to protect the lives of unborn children. Today, we are speaking in support of those who are anxious to have a child and who can offer the love, happiness and security of a caring family.

For many people, the inability to have a child is a colossal blow that causes great sorrow and unhappiness. That often goes unnoticed because other people are concentrating on their own concerns. It is difficult to imagine how couples who cannot conceive feel when they realise how many abortions occur every day.

Members may not be surprised to hear that the United Kingdom is a world leader in the scientific research and technology that is involved in IVF treatment. In spite of that, however, the United Kingdom is at the bottom of the European league on the availability of treatment. In Denmark, the chances of receiving treatment are three times higher than in the UK, and they are twice as likely in France and the Netherlands. In addition, there is a postcode lottery in the United Kingdom for the provision of a service that will materially change people's lives.

It is an interesting exercise to go on the Internet and find that all over Europe, IVF treatment is privately available at a moment's notice at a fraction of the UK cost from highly skilled and qualified physicians. Therefore, it is vital that we here in Northern Ireland do all that is in our power to emulate our European neighbours.

In the Province, the numbers seeking IVF treatment are relatively small; therefore, I appeal for sufficient resources to be made available to the Health Service in order to help those people.

The Assembly is committed to developing a society that puts the needs of people to the forefront of its thinking, to supporting the family and family values and to creating a future in which children grow up in a loving and caring family relationship. It is of paramount importance that Members unequivocally support those who require IVF treatment in order to have children. I support the call for resources to be made available to bring the Province in line with countries such as France, Denmark, and the Netherlands. It is vital that special consideration is given to that relatively small percentage of people who require treatment in order that they can know the joy of having a child of their own.

With 48% of Northern Ireland's overall Budget being spent on health, and considering that so much of the health budget is spent on art — a policy that I know that the Minister is reviewing — perhaps some of that money could be redirected and made available for IVF treatment. I hope that the Minister will perhaps consider that today. I support the amendment; it is a much better proposition than the motion.

Mrs Hanna: I support the motion in the name of my colleague Alex Attwood, and I thank him for bringing it to the House. The Floor of the House is the first port of call for such a debate, not to give false hope, but to raise awareness of the issue, which can then be matched against need and availability of resources.

In vitro fertilization via the National Health Service is characterised by long waiting lists and a restricted number of treatment cycles. Important issues that have been raised by patients include the lack of understanding of what it means to be on a waiting list. Initial predicted waiting times can be greatly underestimated. When patients eventually receive treatment, they consider it worthwhile, but they have legitimate concerns about the time that they had to spend waiting for it. For many, the wait is too long and too uncertain.

Concerns have also been raised about the fact that IVF waiting lists involve hidden costs for patients and for the National Health Service. IVF creates a human dilemma. Although the Assembly talks up the idea of supporting families, it must give them more practical support.

Dozens of couples are struck off the waiting list every year, and they either give up trying to get treatment or pay for it privately. Fertility experts have concluded that conception rates for women who use their own eggs decline after the age of 39, and that was the reason for raising the bar to 40. However, most women turn to IVF treatment only after trying to become pregnant for

several years. Naturally, they may be approaching the age of 40 by the time they apply for IVF.

For women using donated eggs, IVF is permissible up to the age of 49. However, access to the treatment is patchy, and, as a result of delays and inconsistencies, many couples, despite meeting the age qualification, miss out.

Some experts recommend that the current rules for those on NHS waiting lists should be relaxed. Infertility can have devastating effects, and, after years of trying unsuccessfully to have a family, many couples face very long waits. For many, as I said, the treatment comes too late.

Although I appreciate that a cut-off point is necessary, it is important to take all factors into account and to consider that couples who want to conceive children go through an emotional and anxious time, particularly those who are growing older and facing their last chance to have a baby.

Medical science is moving on, and many women in their 40s have children. Doctors can do much more these days, and I hope that medical advances will continue in that area. Infertile couples need better services. Reducing waiting lists and extending the age limit for IVF might not be the whole answer, but cutting the waiting time is extremely important. If people are fortunate enough to join a short waiting list, they will have a greater opportunity to avail of IVF treatment.

As has been said, our fertility treatments are falling behind those of our European counterparts, as has the number of babies born as a result of IVF. I know women who have gone abroad to receive treatment, but that option is not open to everyone because of the cost.

The NICE guidelines, 'Fertility: assessment and treatment for people with fertility problems', which have been mentioned, recommend three cycles of treatment. However, despite that recommendation, only one cycle of treatment is currently available.

In September 2006, the then Minister with responsibility for health, Paul Goggins, announced new criteria for assessing Health Service IVF treatment under the headings of waiting lists, counselling services, and intra uterine insemination (IUI) treatment, but, at present, there is a lack of guidance from the Department on how to prioritise treatment for patients, and the social criteria vary.

I call on the Department of Health, Social Services and Public Safety to consult interested parties with a view to renewing the criteria in order to overcome the current inequalities, which can restrict some couples from receiving the same treatment as others.

Access has to be fair and equal. During what is an already stressful and traumatic time for those involved,

couples are still being forced to wait for up to three years — that is unacceptable.

3.45 pm

Motherhood, and preparing for motherhood — whether through pregnancy, adoption, surrogacy, or IVF — has many challenges, which are often unsatisfactorily dealt with by contradictory plans and treatments that are in place. I have contacted the Minister of Health, Social Services and Public Safety regarding some of those issues.

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

Mrs Hanna: Finally, we need to have a comprehensive review to get better and fairer access.

Mr Shannon: Thers naethin laek tha feilin that ye git whun ye furst haud yer sinn' er dochter in yer erms. It jist canny be explained an tha experience is a real ee' apener. An as a' prood fether o' three strappin sinns' aa' cann sae this tae ye: the feelin disnae gaun awa wi' mare wanes er tha passin o' tiem. It is fer this raison that whun aa' think o' tha yins that his nae hed this apertunity. It is my desire tae help them in tha yin wae aa' caun — an that is tae be ahint ther claim fer IVF in tha Provance.

There is nothing like the feeling that you get when you first hold your son or daughter in your arms; it cannot be expressed or explained. It is an experience that cannot be equalled and as the proud father of three strapping boys, I can tell you that the strength of feeling does not diminish with subsequent children or, indeed, with the passing of time. For that reason, when I think of people who do not have such opportunities, it is my desire to support them in the only way that I can — and that is to support their claim for IVF in the Province.

The proposer of the motion made a good case, but I am supporting the amendment, because it is more detailed and gives the issue the focus and attention that it needs.

The figures are clear. It is estimated that over 40,000 couples in Northern Ireland have problems conceiving a child, and one in seven couples have problems with fertility. As elected representatives, we are aware of the stress, trauma and heartbreak that results from those cases. People go to their GP, only to learn that in order to qualify for IVF treatment, they must have been infertile for up to three years. That is an issue that I have a problem with. The modern age must be considered. People are no longer necessarily getting married at 18. These days, women have careers that they want to pursue. Therefore, they put off having children until well into their 30s, instead of their mid-20s. That can mean that when it comes to having children, their opportunity — without their knowing — may have passed.

It is important to realise that the prerequisite of having three years' infertility recognised by GPs will carry some women over the desired age range. The age

limit for IVF treatment of 38, which was previously in place, should rightly be upped to 40. That would mean that women who have chosen a career without realising that they have a problem would be able to take advantage of the treatment.

Couples are currently offered the opportunity of three cycles of treatment. That gives a 50% chance of success. Some ladies that come to my office have had successful IVF treatment, which resulted in wonderful experiences, but others have been unsuccessful, and it has cost them a small fortune. I know of ladies who — rather than buy a house, as some of them could have done, and perhaps should have done — spent all of their money on IVF treatment that was unsuccessful. Real trauma and disappointment can be seen in those people's faces. I know of one lady who spent £13,000 on unsuccessful fertility treatment.

It may seem that three cycles is more than generous. However, it is hard to tell that to a couple whose third pregnancy has failed and who are heartbroken. I know people who have gone to Bulgaria and Istanbul for treatment — again, at great personal cost. Some of them have been successful, and some have not. Those are issues that must be focused on.

In Denmark, more cycles per million couples are offered — these are technical issues, but Great Britain is far behind, having only 600 cycles per million couples. Those figures need to be considered.

The Scottish Executive have suggested that five cycles should be offered, in order to boost the success of IVF treatment. That is something that the Assembly should ask the Minister to consider. The waiting lists are too long, the opportunities are too restricted, and the medical professionals are too far stretched.

There are, of course, couples who cannot carry a child, which is heart-rending. However, we have got to try to help those who want to find out whether fertility treatment can help them.

Northern Ireland must have more NHS facilities with the capacity to carry out fertilisation programmes. I urge the Minister of Health to recognise the lack of facilities suffered by this field of medicine, in the UK as a whole, and in Northern Ireland in particular. He must put in place the makings of change.

I support the amendment and ask Members to do likewise. It is important for a woman to experience the unparalleled joy of having a child.

Mr Durkan: I commend my colleague Alex Attwood for bringing this important issue to the Assembly. Like other Members, I acknowledge that the amendment is a positive contribution. This is not a contest between the original motion and the amendment; it is such an important issue, and Members should reinforce what

they hear each other say, to amplify our concern for the people who need those services.

As politicians, we often say that we are doing something for our children and our children's children. We heard it said today. It is natural for people to presume that every adult or married couple has children, or, if it is their choice, that they will have them. Often, in a glib and natural way, when we use such phrases, we unintentionally remind people who go to all sorts of lengths, and cope with infertility and stress in the absence of children, of the pain that they suffer. Because we make that assumption, people who wait, hope and make all sorts of endeavours to have a child find the way in which we talk about these things painful and — literally — thoughtless.

Yet again, the Minister is present to hear Members' concerns on important issues. As well as addressing our remarks to him and his Department, it is important that we all look at the way we talk about families, at the assumptions we make and, sometimes, at the jokes we make about infertility and its treatment. All of us could be more sensitive in that regard. I speak as one with experience. It was nearly 12 years before my wife and I were blessed with a child. At times, the way in which things are said can hurt. For that reason, I am always open to people who raise these issues.

That is also why I pay tribute to the former Minister of Health in the previous phase of devolution, Bairbre de Brún, who took an important step back in 2001 in commissioning a consultation about fertility treatment. Because it involved financial implications, I, as Minister of Finance and Personnel, had to agree that with her. In 2006 we finally obtained an outcome from the document 'From People to Parents: A Public Consultation Document on the Future of Fertility Services in Northern Ireland'. I was pleased with some of the changes that emerged. It was realised that the limit on the number of cycles that people could have was a grave disappointment. Many people had campaigned for a good outcome from that consultation; many had spent years waiting for its outcome; and many others had spent years waiting for treatment or working with people waiting for treatment. As so often the case in this situation, the success that they saw was tinged with other sadness and frustrations.

I felt, in late 2006, that the Minister responsible, Paul Goggins, did not go as far as his predecessor had seemed to promise me in the House of Commons. That predecessor was Shaun Woodward, the current Secretary of State for Northern Ireland, who talked up a much bigger and more sensitive outcome to the 'From People to Parents' consultation.

It is right, therefore, for the Assembly to ask the Department to look at this again. In supporting the

amendment, I do not direct this to the Minister alone, or suggest that the Committee should have no role in this.

As we have heard today, both the Health Minister and the Health Committee can make a serious, sensitive and purposeful contribution to ensure that we make progress and achieve good outcomes.

We must create a situation in which people can access the services that they have been told are available, and can understand the criteria. Neither the couple nor the professionals who are dealing with them should find that they must cope with gobbledegook, as though they are a problem or an unwarranted demand on a system that has better things to do and better people to look after. This issue is fundamental to people's ambitions for themselves, not only as private couples and individuals but as people who want to be part of a wholesome, healthy society — the type of society that Members have talked about aspiring to today. Families are at the centre of that.

Those people who are struggling to become a family need every bit of support that we can give them. Those for whom treatment does not succeed also need support, so there must be more emphasis on counselling services for those who are awaiting treatment, and for those who have had treatment and have been disappointed.

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): For those affected, infertility can be a shattering problem that affects every area of their lives. It is important that their concerns in relation to its treatment are addressed openly and fairly, and that everyone is clear about who may have publicly funded fertility treatment. It is also important that people know why there are conditions on access to services. Therefore, I shall briefly outline how those conditions were decided.

In April 2001, there was no publicly funded IVF service in Northern Ireland. As Mr Durkan has said, in response to increasing demand, the then Minister of Health, Social Services and Public Safety, Bairbre de Brún, initiated a public debate on the future of publicly funded fertility services and, specifically, which services should be funded by the Health Service.

While proposals were prepared for consultation, interim arrangements were put in place in order to allow access — albeit limited access — to publicly funded services. In the light of other competing priorities in healthcare services, limited funding was allocated to the provision of IVF. In 2001, that funding was £1.2 million, which was to allow for two cycles of treatment for women up to 37 years old. The consultation document 'From People to Parents' was issued for public consultation, and that document sought views on a wide range of matters in relation to IVF treatment. Opinions were sought on the specific conditions for access to the service, and those included, among other

issues, the upper age limit at which the female partner could be provided with publicly funded treatment.

An analysis of the responses to the consultation was used, along with NICE guidance, where applicable, to develop revised access criteria. Those criteria were introduced in October 2006, and all the proposed changes were subject to a full equality impact assessment to ensure that they did not unfairly disadvantage any patients who wished to access the service. Many of the changes that were introduced were designed to make IVF treatment accessible to a larger number of women. The upper age limit for women using their own eggs was raised from 37 to 38 on 1 October 2006, and from 38 to 39 on 1 April 2007. That was in line with the NICE guidelines, and with the latest advice from the Human Fertilisation and Embryology Authority, the body that regulates such services. Restrictive criteria on couples with dependent children, who until then had not been eligible, were also removed. In addition, a previous policy was removed that had forced women to wait for three years before they could join the waiting list if they had an appropriately diagnosed cause for infertility.

Members will have heard me say many times that funding for health services remains very tight, and will become tighter. We have not been able to allocate additional funding for fertility services, and could do so only at the expense of other high-priority services.

Before my time as Minister of Health, Social Services and Public Safety, in order to allow a greater number of women to avail of treatment, the decision was made to reduce the number of fertility treatments from two to one per woman.

NICE guidelines recommend that three treatments should be provided. However, at the time, the number of treatments was two, which was then reduced to one. Although that is not ideal, the argument was that priority be given to making the opportunity for publicly funded treatment available to the largest number of women possible. During transition to the new policy, qualifying couples who were already on the waiting list and who had had one unsuccessful cycle of treatment were offered a further cycle in order to honour assurances that they had been given.

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

4.00 pm

I recognise that NICE guidance recommends the provision of three cycles. Approximately 420 cycles are provided each year. However, 590 patients are waiting for IVF treatment. Therefore, even though one cycle per person is provided, there is still a shortage. That is why there is a waiting list. The waiting list depends purely on resources, rather than on capacity, the number of doctors, and so on. To provide three cycles

on the current resource level would reduce the number of women who can avail of treatment by two thirds.

The policy is also based on age considerations. It is, however, not an ageist policy; it has had an equality impact assessment and equality assurance. The chance of a live birth for each IVF treatment cycle drops as women get older; from 20% to 15% after the age of 35, to 10% aged 39 and to 6% aged 40. Therefore, the argument is that to skew resources towards women who are at the upper end of the age limit would be less likely to achieve a successful result.

That is the current context in which the waiting list operates. Patients are dealt with chronologically from the date on which they go on the list. Waiting times are determined by the date of the consultant's referral to the fertility clinic. Waiting times for appointments with the consultant are determined by the date of the application. In order to ensure equity, patients are added to the waiting list from the date on which their consultant at the regional fertility centre decides that they are suitable for treatment. They are then treated strictly in chronological order, in line with the systems that are in place for all other health services.

It has been suggested that women who are likely to reach the upper age limit for treatment before they reach the top of the list should be prioritised so that they are treated before their fortieth birthday. That is difficult to justify. Moving women up the waiting list can only be done at the expense of other couples who may have been waiting considerably longer for treatment. It is also recognised that the likelihood of fertility treatment being successful decreases with age, as I have explained. Therefore, skewing resources accordingly would cause a delay that could affect the chances of others who have effectively been leapfrogged on the waiting list. As I have said, those chances reduce to 6% by the age of 40. Those are the proven outcomes of fertility treatment.

It is also important to point out that when annual resources have been allocated to individual patients, no further publicly funded treatments can be provided during the financial year. In other words, when resources are used up determines when treatment is no longer offered; not other reasons, such as doctors' time, and so on. The issue is purely one of resources. In those circumstances, it would almost always be the youngest patient on the list who would be disadvantaged.

Therefore, it is recognised practice that when the date for treatment is set, the revised policy is not applied retrospectively, nor should exceptions normally be made. I must ensure that service provision is equitable and accessible to as many women as possible and that it provides the best possible chances of successful pregnancy.

As regards a postcode lottery, and the issue of differential treatment in different parts of Northern Ireland, funding is provided by the four area boards on a capitation basis — in the same way that all other Health Service funding is provided — in order to ensure equity of access and spend. The current policy — and all of this went through the review — encourages early access to treatment. Therefore, it is possible that the access criteria that we currently have on offer provide a fair and equitable chance for all women who need publicly funded services.

Moreover, at the time when the new criteria were introduced, boards were asked to monitor referrals and waiting times over the first year in order to assess demand for services and the capacity of the regional fertility centre. The first year in which the boards have been operating under the new criteria is now complete, and the boards have been asked to report on the situation. That report will be made available at the end of November. I must emphasise that, in reviewing the policy, we are always going to return to the issue of available resources and the resources to be devoted to that service. That, of course, in times of limited resources means that there must be prioritisation of services.

There has been a review and a consultation. Criteria have been set, and they have been widespread. They do not follow NICE guidelines as regards three-cycle funding. Rather, they follow NICE guidelines on one-cycle funding. The risks were taken into account during that review. It has only been in operation for a year. The Department is about to undertake monitoring and referral of the scheme.

Having said all that, I hear the views of the House, and I understand the points that have been made. Mr Attwood has spoken to me about the issue on a number of occasions, as have Mrs O'Neill and Mrs Hanna. If it is the will of the House, I will be happy to revisit the review. In due course, I would return to the House and report on the matter. However, I would need to wait until November, by which time the referrals will have come through — that is only another four weeks. I would then be in a position to consider undertaking a review, specifically, of the issues of waiting lists, skewing for age and — the key factor — funding limitations. With regard to funding limitations, whatever the UK Government says, the trusts throughout the UK operate a funded single cycle of treatment for each patient. That is the situation. If Members request a review, I will be happy to accede to that request.

Mr O'Dowd: Go raibh maith agat. I apologise for being late in joining the debate. I had been chairing the Public Accounts Committee meeting. I came to the Chamber as soon as possible.

I declare an interest in the motion. I am one of the lucky people; I have a two-year-old daughter as a result of IVF treatment. I am doubly lucky, because my wife is expecting a second child as a result of IVF

treatment. So, we are doubly blessed in that matter. We have been through the mill over the past six to eight years. It is an experience that is not unique to us as a couple — or, perhaps, to others in the Chamber — and it is definitely not unknown to those in wider society.

Anyone who has experienced infertility, and the treatment for it, has been through hell. That is the only way in which I can describe it. At one level, I would not wish IVF treatment on anyone, because of the physical and emotional demands that it places on the woman, firstly, and the tremendous emotional demands that it places on the couple and their relationship. The treatment is very difficult for the woman. In this debate I have heard terms such as “ICSI”, “donor eggs”, “donor sperm”, “harvesting of eggs”, “hyperstimulation injections” and “frozen embryos”.

Many a time, my wife and I have said that we could write a stage play based on the humorous side of IVF treatment. Humour was what got us through the darkest days of the treatment. The many situations in which people who are receiving IVF treatment find themselves are often a source of humour, and that humour gets people through the dark days.

We underwent a number of treatments under the original system, and those treatments were free. However, we ended up having to opt for private treatment. The average cost of treatment is £2,700, but that cost can rise to as much as £3,500. The costs of individual treatment and the specific drugs, and so on, all add up. If Members consider the physical and emotional pressures that people who are going through the treatment are under, and then add to those the worry that is experienced about bank loans, credit-card repayments and overdrafts, it becomes clear that the pressure on couples is great.

Moreover, that tension and pressure does not help the woman when she is receiving treatment. When the eggs are put back in at the start of the process, the woman is told that she must relax. However, she cannot do so because of the worry about whether the treatment will work and whether the couple can afford it. My wife and I were lucky because we were in reasonably paid jobs at the time of our treatment, so we could meet the bills. However, many couples cannot do so. Many find it impossible to afford the repayments on a £3,500 extension to a loan or mortgage, and that means that they cannot have children. That is not fair.

I know that the Minister's budget is very tight and that he has to apportion funds where they are needed and in response to high-profile demands. However, the fact that Mr Attwood has brought this motion to the House shows that there are wider concerns in society about infertility and that further action is required to address the issue. I welcome the motion, and I clearly support the amendment, which adds to the motion. The views that have been expressed in the Chamber show that wider society wants a more concentrated approach

to be taken to infertility and for couples who cannot have children to be given more support.

I particularly noted Mr Durkan's remarks on the comments that are sometimes made to couples who do not have children. I have heard them all — both the well-meaning ones and the smart-alec ones. People should take a step back and think about what they are saying. Such comments are like a stab through the heart. People sometimes intend their remarks as a joke, but they are not funny. I appeal to anyone who is listening to this debate to think twice before making comments to couples without children, as there may be a deep-seated reason for why they do not have any.

I welcome the Minister's saying that he is prepared to take on board Members' views and report back to us in mid-November. I applaud the Minister for that.

I have one criticism of counselling services. I appeal to counsellors to remember that a man is involved in the process, too. I have the greatest respect for those who work in the regional fertility centre at the Royal Maternity Hospital in Belfast. From the moment that we walked in the door, we were struck by how brilliant the staff were — from the first person we met to the highest-level medic in the building. They are all brilliant people. However, when accessing and receiving counselling services, men sometimes feel that they are an add-on. They must be fully included in the counselling process.

Mr Attwood: I say at the outset that the SDLP will, of course, support the Sinn Féin amendment. The amendment is welcome, as is any amendment that enhances a motion and that adds detail and direction.

I shall focus on some themes that have run through the debate. Mrs O'Neill was the first Member to mention the three cycles of treatment, which other Members, including Mr Durkan and Mrs Hanna, also mentioned later. The provision of three cycles of IVF treatment is a touchstone of fertility services in Northern Ireland, and it must be dealt with if progress is to be made. I welcome the Minister's remarks, but, given the flavour of the debate and the fact that so many Members spoke in favour of a three-cycle outcome, I believe that the Assembly will ultimately be judged, and must judge itself, on whether it works to achieve that outcome. This issue, as much as any other, will be a touchstone as to whether there are benefits to devolution.

I welcome the comments of Iris Robinson. After reading the House of Commons Hansard reports, I know that she has been diligent on this issue over a long period, and has asked many useful and probing questions — as has my colleague Mark Durkan — in trying to advance this issue. I agree with her that there have been problems in the administration of regional fertility waiting lists.

Although I acknowledge Mr O'Dowd's comment about the good work that is carried out in the regional

fertility clinic, there are problems of management and bureaucracy, which I have experienced. I wrote a letter to the regional fertility clinic in November 2006, asking about the number of people on waiting lists in the North, and whether there could be any indicative time frame for those people to receive treatment — I did not receive a reply until 1 June 2007. I suggest to the Minister that any forthcoming review looks at how to enhance the capacity and management of the regional fertility clinic so that couples know when they might anticipate treatment.

I welcome the comments of Kieran McCarthy and John McCallister. I suspect — although it is not for me to say — that there is a role for the Health Committee in all of these matters. We can also learn from the European experience. If — as Mr McCarthy says — we are the poor relation in Europe in respect of the provision of fertility treatment, is it beyond the wit of the Assembly, the Minister and the Committee to become a shining example, rather than remain behind the game?

I concur with Mrs Hanna's response to Mr McCallister; I do not attempt to build up the hopes of couples who come to see me. The advice that I gave to women to whom I spoke on the phone yesterday afternoon was based on a premise of "expect little and hope for much". I know from the experience of the couple that I mentioned earlier that couples can have their hopes completely dashed. Therefore, there is a need for a high level of caution when Members speak to constituents about this matter.

4.15 pm

The Department, the Minister and the Assembly must be challenged to turn this issue around. Mr Durkan and Mr O'Dowd were quite right to remind the Assembly that, for all the joy that people experience from having children — I have a young child — we cannot forget that that same joy is not enjoyed by many people. On my behalf, and that of the Assembly, I wish Mr O'Dowd and his wife well in the time until their second child is born. The content of Mr O'Dowd's speech was a personal, intimate and compelling narrative that should be a guide for Members, the Minister, and the Department in how to advance the issue.

I welcome the fact that the Minister is present and I welcome much of what he said. I particularly welcome his statement that, if it were the will of the Assembly, he might be minded to look again at how a review is carried out. I very much welcome that, and I hope that the Minister acts accordingly.

The Minister noted that, ultimately, these matters — and all such matters — are subject to constraints on funding. I was reminded that the Minister of Finance and Personnel mentioned greater end-year flexibility in today's statement on the draft Budget.

There would be greater end-year flexibility when it came to financial opportunities during and at the end of the financial year. I suggest that, given that that now appears to be the case, it might be opportune to consider, as soon as possible, how to front-load some of that funding to provide additional flexibility for fertility services in order to try and achieve the target of three cycles of treatment.

I ask the Minister, when he is considering how to take forward the review, to take into account the questions that I and other Members have asked, and that he has the opportunity to respond to, because those questions will inform how the review is constructed. There is a range of issues to be considered, some of which might be dealt with if they were in the review's terms of reference. I do not believe that the Department has proven the case that a woman who is about to attain the age of 40 is leapfrogging, as the Minister described it, a younger woman. I do not think that it has been proven that the older person gets an advantage that is disproportionate to the disadvantage of the younger woman.

Hard cases do not make good law, but in recent days I have been speaking to women, one of whom attained the age of 40 and was unable to get treatment. I spoke to another woman, aged 27, who last month completed her first cycle of treatment and is now looking for a second cycle. I suggest that treating women who are approaching 40 does not materially disadvantage those who are 27, 26 or 25. The clinical and medical judgements are difficult, because every case is different. However, it has not been proven to me, or to the couple who spoke to me about the matter, that they would have been disadvantaged in a way that was disproportionate to other categories of people. Given that nothing can be done about the couple that I have spoken about, I ask the Minister to reconsider the matter and find another way for women who are about to attain the age of 40 in the next few months to be accommodated properly and legally.

I thank everyone for their contributions to the debate; the tone and character was proper. I urge Members to support the motion, as amended.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to commence a comprehensive review into the current criteria used to assess eligibility, including the age weighting criteria, the ongoing problem with waiting lists, and the number of IVF treatments available on the NHS, with a view to establishing a more equitable and accessible policy.

Windscale/Sellafield

Mr Deputy Speaker: The Business Committee has agreed to allow up to one and a half hours for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes for the winding-up speech. All other Members will have five minutes. Two amendments have been received and have been published on the Marshalled List. Members who move the amendments will have 10 minutes to propose and five minutes for their winding-up speeches.

Mr McKay: I beg to move:

That this Assembly expresses concern at the findings of the report on the impact of the Windscale Piles accident at the Sellafield nuclear plant and the implications that this has for the health and well-being of people living on these islands and in Europe; and calls upon the Government to discontinue all operations at the Sellafield nuclear plant.

Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin has brought the motion to the Assembly, not only out of concern for the public health of people who live on the east coast in places such as Antrim, Down and Louth but also because it is concerned at the threat that Sellafield poses to the well-being of people who live throughout Ireland, as well as in Britain and western Europe. Sinn Féin will not be supporting either amendment.

The DUP amendment supports nuclear power, which directly contradicts the motion, and the SDLP amendment adds nothing substantive to Sinn Féin's motion. A motion to the same effect has been passed in the Dáil. Today, the Assembly has an opportunity to send a clear message to the British Government that all the major political institutions on this island want the nuclear plant at Sellafield to be shut down.

Fifty years ago, there was radioactive fallout from a major accident at the Windscale nuclear reactor. New research shows that the incident generated twice as much radioactive material and caused dozens more cancers than was previously thought. At the time, the Windscale fire was the world's biggest nuclear disaster. The methods used to extinguish the fire could have caused an explosion, but, fortunately, they did not.

Tom Tuohy, who was the deputy general manager on the site, led the team that had to contend with a nightmare that no one at that time had thought possible. He said:

"Mankind had never faced a situation like this".

However, the Windscale accident was not a one-off. Just two years ago at Sellafield, there was a leakage of highly radioactive nuclear fuel. Approximately 20 tons of uranium and plutonium — enough to make 20 nuclear weapons — dissolved and escaped through a cracked pipe. Nordic parliamentarians recently met the owners of Sellafield and told them that safety procedures

at the nuclear plant needed to be tightened up. The British authorities have granted permission to resume reprocessing of nuclear waste at the THORP, which was closed several years ago because of a radioactive leak. The controversial THORP has aroused strong feelings in Nordic and Irish politicians. Ministers with responsibility for the environment from Norway, the Twenty-six Counties, Iceland and Austria have demanded that it not be reopened.

A devastating official inquiry recently found that safety alarms had been routinely ignored, operating instructions flouted and safety equipment left broken at the controversial plant. The inquiry report, one of the most damning ever of a British nuclear installation, condemned the Cumbrian complex for its "alarm-tolerant culture". It also identified:

"long-standing failings in some key safety arrangements"

and a

"failure to learn from previous events".

The accident at the THORP was disclosed by 'The Independent on Sunday' in 2005 and was the focus of the investigation. Some 83,000 litres of highly radioactive liquid leaked at the plant for at least eight months before the spill was detected.

The daughter of a man who died at the Sellafield reprocessing plant in the 1960s condemned the secretive nature of the British nuclear industry. In 1962, Jean McSorley's father died from a heart attack at the nuclear plant at the age of 39, and his body was taken for an autopsy without his family's consent. The body parts of 65 other workers who died at the plant between 1962 and 1991 appear to have been secretly examined for evidence of radiation. Ms McSorley said:

"Openness and transparency and the nuclear industry are mutually exclusive. They are always looking for reasons not to be fully open with the public."

Indeed, the nuclear industry has never been open with the public.

Sellafield remains a significant threat to people on this island, particularly to those who live in the north-east. Ministers as well as private Members should press the British Government on the issue at every opportunity. Irish people have been living with the consequences of the fire at Sellafield for many years, and there are particularly high rates of cancer and birth defects in County Louth and south Down. Sinn Féin has called on the Irish Government to convene round-table talks on Sellafield. Those invited should include non-governmental organisations, environmentalists, campaign groups and northern European states, particularly Norway, whose representatives have been highly vocal on the issue. Assembly representatives should also be involved in such a process.

An independent group has taken meter readings in the Twenty-six Counties. Recent readings show that the highest levels of nuclear contamination are to be found in areas of County Louth, County Meath and along the north Dublin coast — all are a stone's throw away from Sellafield. A similar exercise should be carried out in the Six Counties to establish how much nuclear contamination has affected the entire east coast.

Sinn Féin has consistently called for the closure of Sellafield. Reprocessing there must end immediately. It is a discredited plant and remains the most dangerous and unstable nuclear facility in western Europe. Sinn Féin will continue to fight for its immediate closure and calls on the Assembly to back the motion. Go raibh maith agat.

4.30 pm

Mr Hamilton: I beg to move amendment No 1: Leave out all after first 'plant' and insert

“; notes the improving safety standards within the nuclear power industry; believes that the United Kingdom should have a safe, secure and diverse energy supply that takes account of the need to address the issue of increasing carbon emissions and the need to end dependency on fossil fuels; recognises that nuclear power plays an increasing role in power generation in several EU states; and calls upon the Government to consider carefully a well-regulated nuclear sector, operating to the highest safety standards, as one element of the United Kingdom's energy supply.”

The general opinion of nuclear power is sometimes clouded by our thoughts or media images of disasters such as Windscale Piles, Three Mile Island and Chernobyl, and, although they are unrelated, Hiroshima and Nagasaki. There is undoubtedly concern about what has happened in the nuclear industry in the past, not least in the Windscale Piles accident, which forms part of the original motion. There is warranted concern, especially in the underestimation of the fallout, and in some of the insinuation of cover-up at that time.

However, we cannot judge the nuclear industry of the twenty-first century by 1957 standards. Even Chernobyl, which is regularly used as an example in debates of this nature, collapsed when the Soviet Union was on the verge of collapse and people were barely able to get a loaf of bread in the shops, never mind properly run nuclear power plants.

We should recognise the marked improvement in safety standards in the nuclear industry. Windscale Piles happened when there was little knowledge of reactor physics, and there was a rush to build the facility at that stage. Simon Taylor, a noted academic at Cambridge University, said that if there was any benefit in that accident, it was that it focused minds on safety issues. A safe, secure and varied energy supply will surely be our common objective, and nuclear power can help to achieve those aims.

Great strides have been made in other countries, such as South Africa and China, who are pioneering

the development of well-recognised, safer, smaller, pebble-bed reactors.

The security of supply is an important aspect, as it is essential. We are sourcing our oil from volatile regions around the world, such as Saudi Arabia and Venezuela. Europe gets its natural gas from countries such as Russia. We all remember the recent example where Russia literally turned off the taps to the supply in the Ukraine and left the country with nowhere to go. We must avoid that sort of situation. Nuclear energy can perhaps play a part in solving that problem.

A varied energy supply is also important. We need less fossil fuel and more renewable energy, whether that be wind, wave or biomass. Nuclear energy must also play a part.

Another benefit of exploring the possibility of expanding nuclear power is that it creates lower carbon emissions and contains almost no carbon dioxide. Such an expansion would assist the United Kingdom in reaching its targets and in combating climate change. Reducing our dependence on fossil fuels is an essential element of any energy strategy. We are currently sourcing fossil fuels from volatile regions round the world, but that is a dangerous policy in the longer term. Fossil fuels are a finite resource, and they will run out at some point. Various targets suggest that, even in this century, some of those sources may dry up and disappear. There is the spin off that if we were to reduce fossil fuels, we would reduce pollution. No notable sulphur dioxides, nitrogen dioxides or other particulates are present in nuclear fuel.

It would be unwise in a debate on nuclear power not to pay attention to what other EU states are doing. We have heard mention of attitudes in other countries, but I do not think that that typifies what is going on among our near neighbours in Europe. France generates 78% of its electricity from nuclear sources, and that figure is set to rise. Finland started a nuclear power renaissance in 2002, and other countries in Europe, such as Lithuania, are also exploring that option. There are 300 nuclear reactors in over 30 countries across the world. The amendment in my name and in the name of David Simpson accepts the reality of the situation.

Nuclear power is already being used to produce 20% of the UK's energy. I imagine that the proposers of the motion and the SDLP amendment want to do away with nuclear energy altogether. If we got rid of Sellafield, what would we replace it with? To get rid of one fifth of the UK's energy overnight has consequences, not least in the cost of, and dependence on, other sources of energy, some of which are finite or dangerous to the environment.

Although there are alternatives, some of which I have already mentioned, the Northern Ireland grid is currently unable to cope with any further input from

renewable sources. Expansion into that sphere is not without its problems. Furthermore, the fact that there is considerable opposition in Northern Ireland and elsewhere to some forms of renewable energy, such as wind or wave power, is sometimes ignored when nuclear power is discussed. Whether it is because someone's view is obscured, or because birds or seals are affected, some people are opposed to the introduction of those sources of energy. That is a problem that we have to face.

Nuclear power is already used in our energy system, through the Moyle interconnector, and will also be used in the proposed interconnector from the Republic of Ireland to Wales. Both interconnectors will be attached to the mainland UK national grid. The lights in this House could conceivably come from a nuclear power station in the future; the reality is that nuclear power is already part of the system: it cannot be ignored or easily done away with.

Public opinion on the issue is beginning to turn because of those realities. The most recent edition of 'The Economist' published an Ipsos MORI poll, which showed that public support for nuclear energy has risen over the past six years to a point at which more Britons are in favour of nuclear power than oppose it. That poll is backed up by other support, sometimes from strange sources. The Royal Society has gone on the record in support of nuclear power, as well as some leading environmentalists. Patrick Moore, a co-founder of the Greenpeace movement, is now on record as saying that he regrets his opposition to nuclear power 20 years ago. James Lovelock, a supporter of an organisation named Environmentalists for Nuclear Energy, said that:

"We have no time to experiment with visionary energy sources; civilisation is in imminent danger and has to use nuclear - the one safe, available, energy source - now or suffer the pain soon to be inflicted by our outraged planet."

We must ask some questions in this debate. Is it desirable to have an energy source that is cost-effective, efficient, low in pollution, produces little or no carbon emissions, is not dependent on overseas imports, and is, possibly, infinite? Surely the answer is yes. We must consider the development of a safe, well-regulated nuclear sector and overcome issues of safety, disposal of waste and health.

The proposer of the motion concentrated on health issues in his speech, but, inevitably, there is a counter-argument. In 1991, the National Cancer Institute in the United States announced that a large-scale study that it had carried out of nearly one million cancer deaths in American counties close to nuclear facilities —

Mr McKay: I thank the Member for giving way. Given the fact that the Member is more comfortable with the security of nuclear plants than I am, would he have any problem supporting the establishment of a nuclear facility in his constituency?

Mr Hamilton: Given that it is a reserved matter, there is little point in having any position, which, perhaps, shows the flaws in having a debate at all. It is not a matter that we can give any opinion on. There are no plans to have a nuclear power plant anywhere in Northern Ireland at this stage. We must recognise that there are counter-arguments to the propaganda that has been put about over the years that nuclear energy is all bad, and there is no other argument to be had. Studies, not only in the United States, but in Britain and Ireland, have shown that there are no particular problems related to health in areas in the vicinity of nuclear power plants. Those studies have been ignored, but I accept that concerns exist that must be overcome in an educated debate about the issues, not least the issue of safety, which has been highlighted already.

Anyone who is an avid fan of the American political TV drama 'The West Wing' will remember that a politician who ran for president completely ruined his chances by saying that nuclear power was completely safe. I would not say that it is completely safe, but a well-regulated and safe nuclear sector would bring immense benefits for us all.

Mrs Hanna: I beg to move amendment No 2: Leave out all after "Europe" and insert

"... calls upon the Department of Health, Social Services and Public Safety to make public any data, which it may have available in relation to this matter; and further calls upon the Government to discontinue all operations at the Sellafield nuclear plant within an agreed timescale, acceptable to the Government of the Republic of Ireland and the Northern Ireland Assembly."

I thank Mr McKay for proposing the motion. I am disappointed that he does not accept my amendment, which makes the motion much more specific.

The amendment comprises two parts. First, it calls on the Department of Health, Social Services and Public Safety to make available any information that it may have in relation to the Windscale disaster in 1957. Secondly, it seeks an agreed timescale for the closure of the Sellafield nuclear plant in Cumbria — formerly Windscale — which has bedevilled relationships between two sovereign Governments — the Irish and the British — for decades. Moreover, the amendment foresees a role for the Assembly in agreeing such a timescale.

Today's debate is on health-and-safety matters, not on nuclear power — that debate is for another day. In that case, I do not believe that amendment No 1 is relevant to the debate.

It is said that sunlight is the best disinfectant. The political fallout from Windscale has continued for more than 50 years, thanks mainly to good investigative journalism over those years. The recently published academic research by Professors Garland and Wakefield suggests that the radioactive debris spread by the Sellafield fire in October 1957 may have been twice as widespread as was reported at the time. It may also have

caused 240 more cancers across Britain and northern Europe than originally estimated.

Of particular concern at the time was the release of the radioactive isotope of iodine, which is taken up and stored in the thyroid gland and often leads to cancer of that organ. I note that there is no specific health data in the Garland and Wakefield research for Ireland, but that there is considerable information for England and Wales.

It has become increasingly clear that for over 50 years, there has been a cover-up at many levels concerning Windscale, and that has been admitted. It was the worst nuclear disaster in the world up to that point, and was at least as bad as the Three Mile Island incident in 1979, although not as catastrophic as Chernobyl. The international nuclear event scale has eight levels, ranging in seriousness from 0 — the least — to 7; Chernobyl was rated at 7 and Windscale was rated at 5.

In 1957, the world was in the grip of the Cold War and Macmillan was Prime Minister. The United States did not trust the British, and Macmillan gave orders to cover up the disaster. I was 10 years old and living in Warrenpoint at the time of Windscale. Belfast is directly across the Irish Sea and about 60 miles from Windscale. Towns such as Warrenpoint, Newry, Dundalk and, of course, Dublin are within a 100-mile radius of Sellafield across the Irish Sea. People remember a very high level of sickness that autumn. That was ascribed to the Asian flu, but some people still wonder if that was really the cause.

Cancers have had a devastating effect in my family in the decades since 1957. Six of my siblings and I have had cancer, and four of them are dead. However, I accept that there may be genetic or other reasons for those cancers.

Sellafield is owned by the Nuclear Decommissioning Authority in the UK and it was previously owned by British Nuclear Fuels Limited. It provides reprocessing facilities, not only for the UK but for other countries. It is no exaggeration to say that Sellafield is the nuclear bin for much of the world. It separates the uranium, plutonium and fission products from spent nuclear fuels. The uranium can then be used in the manufacture of new nuclear fuel, and the plutonium can be used in the manufacture of mixed-oxide fuel.

4.45 pm

In 1957, at Windscale, a fire in pile 1 destroyed its graphite core and radioactive material was released into the atmosphere. It beggars belief that the UK Atomic Energy Authority only commenced plans in the 1990s to clean up pile 1. Even now, that job is unfinished and there is no timetable for its completion.

Since 1957, Sellafield has had well-documented appalling safety record. There have been hundreds of safety breaches, including the falsification of data, the

release of radioactive substances into the environment, and the contamination of workers and equipment. Consequently, it has been necessary to classify 60% of the buildings on the site as nuclear waste. Every day, the Sellafield reprocessing plants discharge 8 million litres of nuclear waste into the sea — the Irish Sea is the most radioactive in the world. Nuclear waste remains radioactive for tens of thousands of years.

Ireland has been contaminated by radioactive material from Sellafield. On the east coast, measurable amounts of plutonium can be found in seaweed. Most of that is from discharges over the years from Sellafield. Given that THORP and the MOX plant are operational, discharges will increase, not only into the sea, but in gases that are discharged into the air as a result of the burning of radioactive materials. Among other radioactive isotopes, there is more than half a tonne of plutonium in the silt of the Irish Sea. Traces turn up in fish catches and in seaweed off the Irish coast.

Following the events of 9/11, there is also a risk that terrorists could target somewhere such as Sellafield for bombing, releasing energy and toxins. The vulnerability of Sellafield and other nuclear plants is increased by the transportation of radioactive materials on land, air and sea. An attack or a hijacking could net enough material to make a crude nuclear bomb.

After 50 years, I appreciate that medical statistics that might be relevant to the situation may not be available; however, I ask the Minister of Health, Social Services and Public Safety to search his Department's archives and to place in the public domain any relevant information — particularly data on leukaemia, lymphoma and stillbirths.

Amendment No 2 calls for the United Kingdom Government:

“to discontinue all operations at the Sellafield nuclear plant within an agreed timescale, acceptable to the Government of the Republic of Ireland and the Northern Ireland Assembly.”

I pay tribute to the constancy and consistency of my SDLP colleagues in South Down — Eddie McGrady, Margaret Ritchie and P J Bradley — who have campaigned against Sellafield for decades, as well as the British-Irish Inter-Parliamentary Body, with whose members I have visited Sellafield.

All shades of political opinion in the Republic, and many in Northern Ireland, are opposed to the continued operation of Sellafield. The majority of the population on the island of Ireland is concentrated on the east coast, with the two major conurbations — Belfast and Dublin — accounting for approximately half that population. Any big disaster would have a catastrophic impact on the island of Ireland, and, indeed, on a large part of Britain, which would lead to death and material destruction. Sellafield is a risk with which we should not have to live.

The Irish Government have repeatedly complained to the United Kingdom Government, and it is the policy of all parties in the Dáil that Sellafield should close. Recently, the Radiological Protection Institute of Ireland and, significantly, an Garda Síochána have been permitted access to the Sellafield site. One could ask why the police should be allowed access.

The Norwegian Government have also demanded that the United Kingdom Government close Sellafield, even though Norway is many hundreds more miles than Ireland away from it. They are particularly concerned about the potential effect on their fish stocks. Thanks to the institutions that were set up as a result of the Good Friday Agreement, there has never been greater democratic accountability for all the people of Ireland. We now have representative institutions, although we await the meeting of the British-Irish Council, at which Assembly parties will be represented. I hope that Members can build the widest possible cross-party consensus, and use our democratic clout, the EU institutions and the British and Irish Governments in order to secure a firm timetable for the closure of the disaster that has been Sellafield.

Mr Gardiner: As Ulster Unionist environment spokesperson, I have a natural disposition to support environmentally friendly suggestions. As a resolute human being and a public representative, I also have a duty to react sensibly to certain situations of public concern. I am a committed environmentalist, but, like many environmentalists, I am aware that some people spoil our credibility by citing dubious evidence and making outlandish claims. That does not help the environmental cause; rather it brings it into disrepute.

The incident referred to in the motion occurred in 1957 — that was 50 years ago. Surely no one in the Assembly is seriously suggesting that nuclear safety is of the same standard as it was in those days, when Anthony Eden was Prime Minister, our Queen had been on the throne for only five years, Charles de Gaulle had yet to become president of France, and Eisenhower was still president of the United States.

The nuclear option for our future energy needs is now regarded by many environmentalists as a safe option, when burning fossil fuels is out of date, and power stations, which are belching carbon emissions and greenhouse gases, are contributing to global warming.

New nuclear plants could use generation III+ reactors, which would create less than one tenth of the waste produced by current nuclear generators. Many environmentalists now regard the nuclear option as safer, cheaper, cleaner, and — it must be said — inevitable, given that the United Kingdom is unlikely to be able to put any other viable option in place before our present power stations must be replaced. In fact, if we do not

take that option, we are a great deal more likely to face an economic meltdown than a nuclear meltdown.

Of course, we must express concern at the nuclear accident in 1957, but that must be done in the same way as we might express regret at the Holocaust of 1939-45, the Vietnam war or the First World War of 1914-18. It is a fact of history, of times past, not of the present.

Although many environmental groups, such as Greenpeace and Friends of the Earth, have rejected the use of nuclear power as a solution to global warming, former leaders of such organisations have come out in support of nuclear power. Patrick Moore, the co-founder of Greenpeace and chairman and chief scientist of Greenspirit, commented in 2005 that nuclear energy — combined with the use of other alternative energy sources, such as wind and hydro — remains the only practical, safe and environmentally friendly means of reducing greenhouse gas emissions and addressing energy security, saying also that:

“The time for common sense and scientifically-sound leadership on the nuclear energy issue is now.”

The point to note is that nuclear power is combined with other renewable energy sources.

In truth, a detailed discussion of those options in the relevant Committee would be a far more rational way for the Assembly to proceed rather than debating a motion in the House. The language used by many will, in such circumstances, be erroneous, when what is really needed is cool, rational debate in an atmosphere where scientific evidence is evaluated sensibly and reputable expert opinion is sought.

I can share the hurts and feelings of the past, as Mrs Hanna did. I also lost a mother and two sisters through cancer. Both of my sisters died, one of whom was 50 and the other 53. However, thanks to their Christian faith they are in the Glory today. I support amendment No 1.

Mr B Wilson: I welcome the motion. I have no problem in supporting it, given that opposition to nuclear power and the risks that it poses to human life and our environment is one reason that the Green Party came into power — I am sorry; I mean existence. *[Laughter.]* We are in power.

We have always been concerned about the activities of Windscale at the Sellafield nuclear plant, owing to its proximity to the Irish coast and to the secrecy with which those activities have been carried out. We are particularly concerned about the activities of the BNFL ship the Atlantic Osprey and the reason that it spends a great deal of time around Beaufort's Dyke. That raises serious safety issues: a ship that is carrying nuclear fuel is spending so much time in an area in which large quantities of munitions have been dumped.

The Green Party was not surprised to learn that the initial estimates of the radioactive contamination that

spewed into the atmosphere from Windscale were grossly underestimated. The Windscale/Sellafield site has been shrouded in a mist of lies, misinformation and outright fraud from the day of its inception. For example, after the Windscale fire in 1957, the men who risked their lives to prevent that fire spreading were made scapegoats by the Government's inquiry into the cause of the accident.

The name of the site may have been changed to Sellafield, but the Windscale legacy of deception has persisted. In 2000, a damning Nuclear Installations Inspectorate report painted an alarming picture of management incompetence and a culture of complacency at the Sellafield site. The scandal concerned safety procedures in a factory that produced batches of uranium and plutonium. One batch that was bound for Japan was found to have had false records, and that prompted the investigation. Indeed, British Nuclear Fuels later admitted that the records had been deliberately falsified.

We are particularly concerned that earlier this year the nuclear safety authorities in Britain decided to reopen the facility for reprocessing at THORP in Sellafield. That plant is considered to be a nuclear dustbin, taking in nuclear waste from all parts of the world. Even if one supports nuclear power, the waste from the rest of the world should certainly not be taken in at that plant, which is what currently happens.

THORP has been out of operation since April 2005, when a major leak of radioactive material was discovered. My Green Party colleagues and I have spoken to representatives of the Nordic Council, and they share our grave concerns about the prospect of THORP reopening.

I ask the Assembly to support the Nordic Council's call to the Government to permit a full, independent and international investigation into the safety culture at THORP at Sellafield.

Despite years of campaigning for the closure of the nuclear facilities at Sellafield, the prospect of its closure is distant. Indeed, a new master plan that was drawn up by the west Cumbrian authorities sets out proposals for the further development of nuclear power. Those proposals include the construction of two third-generation, 1.6 gigawatt nuclear reactors and the development of fourth-generation reactors at Sellafield. Discussions have also taken place between Cumbria County Council and the Government about the future storage of highly active radioactive waste, even though, at present, Sellafield already holds 70% of the country's most dangerous nuclear waste.

The Green Party is opposed to any expansion of nuclear activity. When the joint agreement between the Scottish Green Party and the SNP was drawn up, the first point that was agreed with the new Scottish

Administration was that there would be no support for new nuclear power in Scotland.

Nuclear power is not the answer to the energy crisis. It will restrict investment in alternative technologies, and it does not make economic sense. It produces radioactive waste that will create problems for generations for thousands of years to come. Despite improvements in technology, it is not totally safe.

Accidents can happen, and if one does, it will be a disaster.

5.00 pm

As many terrorist groups try to obtain nuclear weapons, Sellafield's security has become an issue. We must look to alternative energy sources. Sellafield serves no useful purpose — it should be shut down.

Mr Simpson: Were I to go around every MLA and ask each about his or her knowledge of nuclear physics, I would probably be met with a few blank faces.

Mr Hamilton: You speak for yourself.

Mr Simpson: I include myself in that. Yes, my face, too, would be blank, if asked my knowledge of nuclear physics. If a Member were to tell me that he or she had a degree in that subject, I would ask what the heck he or she was doing in the Assembly. *[Laughter.]*

I welcome the debate. I understand the concerns that have been raised in the motion. Other Members have spoken about timescale, referring to events of 50 years ago. Whatever view we take on this issue, or on that of climate change — and there are a variety of sincerely held views — there is universal agreement that the world is at a crossroads when it comes to the whole issue of energy supply. We need viable and safe alternatives to fossil fuels. That is the bottom line, whether we like it or not.

I am encouraged that we have set a target, under the Northern Ireland renewables obligation (NIRO), to obtain 12% of electricity from renewables by 2012. We must do all that we can to encourage use of renewable energy sources such as wind, water and the sun, and that must be a priority. However, we must be realistic. In February 2003, the Royal Society warned:

“in the short to medium term, it is difficult to see how we can reduce our dependence on fossil fuels without the help of nuclear power.”

The previous Secretary of State, Mr Peter Hain, expressed the view that he did not see nuclear energy as being a feasible option for Northern Ireland. That was also the view of the Committee for Enterprise, Trade and Investment in its 2002 report into its energy inquiry. However, whether we like it or not, we have a duty to take a serious look at the potential that nuclear power offers.

Nuclear power is a frightfully powerful phenomenon. The very use of the word nuclear, given its association with the horrors of nuclear war, is enough to send shivers up anyone's spine. However, it can be channelled and used in a way in which mankind will benefit. Amendment No 1, which stands in my name and that of my colleague Simon Hamilton, states that we need to:

“consider carefully a well-regulated nuclear sector, operating to the highest safety standards, as one element of the United Kingdom's energy supply.”

My colleague also mentioned that the grid is nearly at maximum in my constituency. Members who represent that constituency — those who sit opposite, as well as alongside me — will know that, in part of that constituency, we have the third-largest manufacturing base in Northern Ireland. We are running out of electricity; there is not enough electricity to feed the factories. Eventually, some other source will have to be looked at — something that is well regulated and conforms to the highest safety standards — in order that that we can generate electricity for our companies and create employment in future. It is vital that we also consider price.

Following publication of the UK White Paper on energy, ‘Meeting the Energy Challenge’, a consultation paper on nuclear power was issued on 23 May 2007 by the Rt Hon Alistair Darling MP, in his former role as Secretary of State for Trade and Industry. That Department is now known as the Department for Business, Enterprise and Regulatory Reform (BERR).

That UK-wide consultation concluded on 10 October 2007, and its purpose was to seek views on nuclear power from industry, non-Governmental bodies and any other organisation or public body in the United Kingdom, including the general public. I am glad that Northern Ireland was included in that consultation, which asked whether the private sector should be allowed to build new nuclear power stations, and I await its outcome with interest.

Mr P J Bradley: I support the amendment proposed by Carmel Hanna. I ask Sinn Féin to consider the fact that the amendment does not take away from the motion in any way; rather, Carmel's speech added to it. As Alex Attwood said earlier, amendments of value are often helpful, and Carmel's amendment was helpful.

The UK Government's consultation process on the disposal of radioactive waste closes on 2 November 2007. It is important that the Assembly, the Executive, or, at least, the Committee for Health, Social Services and Public Safety, or the Committee for the Environment should make a submission on the matter. Such a submission should remind the British Government in no uncertain terms of the nuclear catastrophe of 8 October 1957, which was not made public until 10 October 1957 and was brought under control only on 12 October. Fifty years later, many believe that the contaminated material is still piled up at Windscale —

or Sellafield, as the Government renamed it in an effort to make us forget the disaster that has been with us since 1957.

The volume of contaminated material is also a subject of concern. Only the British Government knows how large that pile is, and, given the secrecy that surrounds Windscale, it is unlikely that we will ever be told.

For centuries, the British have intruded in the affairs of countries around the world by putting down what they term as insurgents and by becoming involved in arms issues and decommissioning processes, as we know. Back in the heart of Britain, the biggest decommissioning problem remains in Windscale/Sellafield, right on our doorstep. Since October 1957, that major weapon of mass destruction has remained piled up in Cumbria and successive Governments have failed to address the problem. All we know is that, in 1957, the British Government carried out a massive “Widgery” in relation to the catastrophe and covered up its own records on the wind direction in the area at the time of the incident. At the time, reports that were backed up by the Meteorological Office stated that the wind was blowing seawards towards the Isle of Man and beyond to the Dublin area. However in 1974, 17 years after the disaster, a Government agency claimed that the winds at the time came from the northwest, thus blowing the radiation inland. The prime purpose of that announcement was to create the belief that no significant radiation made its way to the Isle of Man or Ireland.

When members of the Low Level Radiation Campaign (LLRC) went to the Meteorological Office in Windscale to find the truth, they found that the original reports detailing the westerly direction of the wind, and its speed, had been tampered with. Record sheets for 1957 had been removed and replaced with new sheets that were slightly different in colour from the sheets of previous and subsequent years. The new pages for 1957 read: “No Record – Mast Dismantled”

According to the records, the mast reappeared in November 1957, which perhaps says something.

It may be wrong to despair, but I fear that we will never learn the true facts about the catastrophe, or be able to prevent a reoccurrence of the event at Windscale. As individuals we have no chance of discovering the truth, and, as much as we might try, I doubt that the Assembly as a body would fare any better. However, we must continue to try. I pay tribute to my colleague Eddie McGrady MP, as did Carmel Hanna, for his endless efforts to keep the Sellafield debate alive. I am sure that successive British Governments have wished that Eddie McGrady would ease up on the issue, when they should have been admitting failure and warning their people of the constant threat that exists.

As we have heard, the people of Dundalk, many people on the east coast of Ireland and the people of the Isle of Man do not need a Government admission to confirm the facts. The death rate on the Isle of Man soared in the decade following the incident at Windscale, and many mothers in County Louth believe that they know only too well of the consequences of the radiation clouds that descended on their area in 1957 — consequences that they live with to this day.

The motion and the amendment correctly refer to the threat to Europe. I would like to be slightly more parochial and remind Members that the County Down coastline, as Mrs Hanna has said, is only 60 or 70 miles from Cumbria. That is around the same distance as from Stormont to Limavady or Derry, and should another catastrophe occur at Sellafield, that short distance would place us at the heart of the danger zone.

In supporting my colleague Carmel Hanna’s amendment, I believe that everyone present would agree that all information about Sellafield should be made public. It is important that the Assembly and the Governments in the Republic of Ireland and the Isle of Man agree on a timescale for the closure of Sellafield. The only acceptable action that the Assembly can demand is that the ticking time bomb that is Sellafield is defused and that there is immediate clearance of the contaminated material that is still stored at the plant in Cumbria.

Mr Shannon: I support the DUP amendment. There is little doubt that the production of fuel and energy is a risky business. That is a fact. There are massive oil rig fires; coal-mining explosions; the effect of renewable energy sources on the surrounding countryside; and the dangers that are linked to the production of nuclear energy. There are hazards with each and every method of production, and there comes a time when each method must be evaluated to ensure that the benefits do not outweigh the costs of the venture. Perhaps, now is the time for the Assembly to decide on that matter.

At the outset, I want to stress that I am not living in a bubble; nor do I have my head in the sand. I am aware of the dangers of nuclear-energy production. I have read the newspapers and I have listened to those with more scientific understanding. However, that cannot be the only determining factor. My colleague, David Simpson, mentioned nuclear physicists. I suspect that there is probably no one in the Chamber with that particular knowledge.

Mr McElduff: Will the Member give way?

Mr Shannon: Barry, I will give you a chance, boy — that is all you are getting. *[Laughter.]*

Mr McElduff: A LeasCheann Comhairle, I have visited Sellafield. Is the Member surprised to learn that inside the plant there is a poster stating that it has been 21 days since the last minor accident? It is as though

the poster is exhorting the workers to persevere towards the magic figure of 40 days. Is the Member surprised that such a poster exists inside the Sellafield plant?

Mr Shannon: I have visited the Sellafield plant and I have seen the poster. Every business in the country has a book in which it must record accidents that have taken place. That happens everywhere, and it is no different from what staff must do in factories in West Tyrone or South Down. I thank the Member for his intervention. I was a bit worried when I gave him a chance, but it was not that bad.

The benefits of nuclear energy must be taken on board. They far outweigh the risks, which is contrary to what my colleague across the Chamber is saying. The fact is that as much as every Member would prefer all energy to come from green sources — and I mean “green” in the best sense of the word — that would neither harm people or the environment, provision is nowhere near that stage.

Provision of energy from water turbines is being tested in Strangford Lough. That is an example of what can be done. However, the turbines can produce only enough energy for 1,000 homes. There are 20,000 homes in Newtownards and 40,000 in the whole of Strangford. Undoubtedly, the time will come when renewable energy sources can and will provide the necessary energy for the future. However, that is not in the foreseeable future, so other sources, including nuclear power, must be considered.

If nuclear power is dismissed, that leaves us with fossil fuels, which will create a dilemma for us in the near future. The first environmental problem is obvious, and the UK Government have pledged to lessen carbon dioxide emissions. However, were Northern Ireland were to be completely reliant on fossil fuels, that would significantly increase rather than decrease our carbon dioxide emissions. Therefore, that is not a viable option.

Another problem is that if Northern Ireland were dependent on fossil fuels, it would be more dependent on other nations. That could be used against us, and the stronger the hold that oil-rich countries would have on us, the more we would be held to ransom.

We cannot always rely on the Middle East if we are to do without nuclear energy. If we rely only on fossil fuels and renewable energy we will undoubtedly pay the price on the world stage. That is something that we should not even contemplate. I am conscious of the time, Mr Deputy Speaker.

There are problems associated with nuclear energy production; however, those, and safety issues, must be taken in context. For example, when someone goes to the dentist, his or her teeth might be X-rayed. In hospital, there is a probability that he or she will be X-rayed. The microwave in a kitchen is another example. All of those factors contribute. Nuclear facilities account for

only 0.4% of total exposure. We must consider all the issues involved in nuclear energy production. We must not ignore the safety issues, but we must learn from them. Windscale and Chernobyl were awful disasters. However, the lessons on safety have been learned, and safety is paramount.

In a perfect world we could do without nuclear energy and use only renewable energy. However, we are not yet in that perfect world — far from it. For that reason, the benefits far outweigh the risks. I support the DUP's amendment. I urge the Members on the Benches opposite to me to do the same.

Mr Deputy Speaker: That intervention generated a lot of energy.

5.15 pm

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. It is foolish to dismiss the relentless quest for nuclear power that seems to drive current British Government policy. It is presented as a panacea that will address future energy shortages and — somewhat perversely — is marketed as a clean, green alternative to the burning of fossil fuels, and as a way of meeting EU directives on pollution. Therefore, it is ironic that support for nuclear-generated energy is gaining momentum in Britain and the EU on the 50th anniversary of the serious fire that occurred at Windscale nuclear power plant, now better known as Sellafield.

A recent report into that incident found that at least twice as much radioactive material was released into our atmosphere than was initially thought. People living in south Down and on the east coast of Ireland have had to live with the consequences ever since. Nuclear power can never be a viable option. The devastation caused 21 years ago at Chernobyl, and its after-effects which will be felt for many more years, should be enough to make us all stop in our tracks and think again. Sinn Féin is favour of a nuclear-free Ireland. We should seek to decommission existing nuclear facilities, not build more of them.

Mr Kennedy: Is the Member aware that the local government district area of Newry and Mourne is a nuclear-free zone?

Mr W Clarke: Thank you for that contribution. Sinn Féin favours a shift towards efficient and cost-effective renewable energy, with particular emphasis on solar and wind power. Major investment should be directed towards hydrogen technology. There are growing concerns that there is, currently, an attempt to repackage nuclear energy and to present it as a safe, green alternative. It is anything but that. Anyone who has examined the safety record of the Cumbria-based Sellafield nuclear processing plant will be horrified by what the British Government proposes. Communities up and down the eastern Irish seaboard will be concerned about the re-opening of that debate, considering that

the majority of Britain's current nuclear facilities are sited a few short miles from the Irish coastline — a few short miles from my home in south Down.

Sellafield remains the most unsafe nuclear site in western Europe. Its history has been characterised by a catalogue of errors, safety lapses and failure to comply with EU inspections. Sinn Féin will continue to build alliances to force the closure of the Sellafield facility and to promote a clean, green alternative to nuclear power. Public opinion is the key to closing Sellafield and ensuring the entire shutdown of the British nuclear industry. By adopting the motion we will send a clear message to the British Government that there are viable and safe alternatives to nuclear energy.

However, British public opinion must be brought to a point at which it demands such measures from its Government. The time for ignoring the dangers of Sellafield and other installations must be brought to an end. In whatever we do, it is important that we are mindful of the fact that influencing British public opinion is essential to undermining the efforts of British Nuclear Fuels plc to present nuclear energy as an acceptable alternative to renewable energy. Nuclear power stations are expensive, difficult to build and maintain and are a threat to public health, as well as being considered key legitimate targets for extremists.

Nuclear energy has been used in England, Scotland and Wales for more than 50 years, and there is still no agreed plan for the disposal of highly dangerous nuclear waste that poses a massive health risk.

Energy policy, North and South, must focus on developing efficient and renewable energy sources. Shifting policy from the inefficient use of fossil and nuclear fuels towards energy efficiency and renewable energy sources is imperative if runaway climate change is to be addressed. The nuclear industry spin machine has put a lot of effort into promoting nuclear energy. However, regardless of how effective their lobbying has been, the fact remains that nuclear energy production is not safe, secure, financially viable or reliable. We must get that message to the public loud and clear. People are rightly fearful of the dangers posed by nuclear power; I urge Members from every political party to support the motion. Go raibh maith agat, a LeasCheann Comhairle.

Mr G Robinson: Once again, the Assembly is debating a topic in which it may have a genuine interest but over which it has no jurisdiction — it is a reserved matter. Therefore, while the topic is extremely important, I wonder whether our time would not have been better spent debating an area of policy for which we do have direct responsibility. Having read the motion and considered its implications, I suspect that it is nothing more than an attempt to provide a big stick with which to beat the British Government.

There is much disagreement about whether, 50 years ago, Northern Ireland and the South were touched by the cloud from the fire in pile 1. As recently as this month, reports in the South's press mentioned that disagreement. Indeed, they went further and stated that a cloud of pollutants may just have touched the east coast, and that if it had been affected, it would have been affected very slightly. A 2005 study went further by stating that no radioactive materials reached the east or the north-east coast. Most Members will take from those statements that the accident 50 years ago is unlikely to have had the health effects implied in the motion.

There has been mention of raised levels of cancer in isolated pockets, but if the levels are as high as has been implied, the statistical evidence would be much greater. However, that is not to take away from the distress that has been experienced by the families who have suffered.

The press have also quoted John Garland, formerly of the UK Atomic Energy Authority, as saying that any radiation has now decayed and poses no ongoing risk. That is a welcome assurance.

There is a further concern, no doubt regarding water pollution, especially the effect of pollution on the Irish Sea. A UK Marine SACs (special area of conservation) Project report on radioactive substances stated that seaborne pollutant levels around Sellafield were below the level that would be expected, and that there was no conclusive proof that any pollutants had damaged the environment. However, that does not mean that there should be any relaxation in the monitoring and testing of seawater to ensure continued safety. Only by requesting constant independent monitoring and research can we be sure that pollution levels are kept to an absolute minimum. It is worth noting that in June a significant milestone in the decommissioning progress of the Windscale site was reached, with the removal of the 42 isotope cartridges from pile 2. That, along with other moves, will help reduce the levels of pollutants in the sea, which are already at a lower level than expected. That is very welcome progress. I support the amendment.

Mrs Hanna: I will briefly outline some of the comments that were made in the debate. Simon Hamilton moved the amendment and made a good argument for nuclear power. That is fine, but I did not come to the Chamber today to debate nuclear power — I came to debate Sellafield and Windscale. I would be quite happy to discuss nuclear power on another occasion, if Mr George Robinson would not consider it too much of a waste of our time. The issue should be discussed. However, I came to discuss Windscale and Sellafield because of the new report, and because of the scientific data that has continuously been coming on stream for the last 50 years.

Sam Gardiner questioned the facts that I presented. I cannot remember the exact words that he used, but anything that I said is based on scientific fact. I know that it happened 50 years ago, but Members should talk to experts about contamination in the Irish Sea from radioactivity because that is still happening. I hope that I did not go on too much about hurt and pain — I was talking about the fallout from cancer and leukaemia.

Unsurprisingly, Brian Wilson of the Green Party said that he supports the closure of Sellafield and is against nuclear power. David Simpson made a good argument for nuclear power, and there may be a debate on that in the future. My colleague from South Down P J Bradley obviously feels strongly that there is evidence that Sellafield should close. Jim Shannon always makes interesting comments, hedging his bets both ways. He said that the production of fuel and energy is a risky business, which impacts on wildlife — before comparing it to my microwave oven. If it is so risky, perhaps it should be taken really seriously. It is a serious issue, which I take very seriously.

Willie Clarke, one of the proposers of the motion, was obviously strong in his support of the closure of Sellafield. George Robinson suggested that we should not waste our time on debates such as this. I hope that the Assembly continues to debate serious health-and-safety issues, otherwise there is no point in our being here.

Even if Members cannot support the motion or amendment No 2, they should at least think about Sellafield and what happened there. Go and visit the site and ask about the contamination of the Irish Sea. It is important to keep an open mind on this matter. I am happy to have a debate on nuclear power, but today's debate was on the closure of Sellafield, which I want to happen in the near future. There must be an agreed timescale between the British Government and Irish Government for the closure of Sellafield, as well as a serious investigation of the health implications that still exist for those who live within a radius of 100 miles.

Mr Newton: The comments of my colleague David Simpson in the early part of the debate were very telling: who in this Chamber actually understands nuclear physics? I regret the implications of Carmel Hanna's comments because the motion represents an old and backward-looking argument. If we are debating Sellafield and Windscale, why are we not looking forward to the future of energy production? David Simpson pointed out that, in his constituency — never mind the whole of the United Kingdom — an energy crisis is approaching, which must be addressed.

Mrs Hanna: Will the Member give way?

Mr Newton: No; I have only five minutes. The Sinn Féin proposer of the motion used glib phrases about the concerns that exist throughout continental Europe

about nuclear power, when roughly 70% of energy in France is derived from nuclear fuel. There is no reason why we cannot all express our concerns about nuclear fuel, and we should do. However, concerns should also be expressed about the risks involved in all forms of energy generation. Whether those are risks to the individual or to the environment, there are always risks.

It is also telling that Carmel thought that Simon Hamilton and David Simpson made a good argument. However, that is not an argument that she is willing to take on board, because she did not want to discuss nuclear fuel. Simon Hamilton highlighted the fact that nuclear fuel is inexpensive; that the energy is derived from the most concentrated source; that the waste is more compact; that it is easy to transport; and that it has no greenhouse or acid-rain effects.

5.30 pm

Sam Gardiner, in his contribution, quite rightly pointed out the environmental advantages of nuclear fuel and called for a rational debate on the subject. That would be extremely welcome.

I have sympathy for the point that Carmel Hanna raised about health concerns, as there are concerns from various sources. She referred to her own family, and I am sure that there are no Members whose families have not suffered. Carmel Hanna was willing to admit that other sources may have caused those health problems.

Mrs Hanna: I acknowledged that in my speech.

Mr Newton: I agree with the Member, and I pay tribute to her on that point.

I am not sure what Brian Wilson was saying. He said that an alternative to nuclear power should be considered, but he did not say what that alternative should be.

Barry McElduff said that he went to the Sellafield plant to have a look around. He saw a poster saying that it had been 21 days since there had been a minor accident. I am not sure what point he was making, but it is common in industry to post the health and safety record so that people can see it — the greater the number of days without an accident, the better.

Danny Kennedy said that Newry and Mourne was a nuclear-free zone; I did not realise that, so at least I have learned something from the debate. It is good to know that the councillors in that area have voted to keep the area nuclear free.

Willie Clarke's contribution was all about bashing the Brits. He had no argument at all, and his comments were quite spurious. A report in 'The Economist' says that more Britons support nuclear power than oppose it.

Nuclear energy is here to stay and must continue to be monitored as professionally as possible. Although it

is not a devolved matter, the House should consider ways of ensuring that it continues on everyone's behalf. To call for power station closures is to be like the fantasy character of old Spanish literature, Don Quixote, who attacks windmills because he believes them to be ferocious giants. Such a call is just as much of a waste of time.

Mr Deputy Speaker: Clearly, we have a lot of bright sparks.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. The subject that has been discussed is an emotive one. As someone who represents a constituency on the east coast, it has a personal resonance. George Robinson said that, possibly, the accident in 1957 at Windscale touched the east coast slightly. If Mr Robinson had taken the time to read the statistics he might have thought differently. For instance, within two years of that accident, 28 babies in the Dundalk Bay area were born with Down's syndrome. That was way above the national average.

In the Newry and Mourne area, a study done by the Mayo clinic around 20 years ago indicates that the incidents of multiple sclerosis in our area is one of the highest in the world. As someone whose brother died from MS, I can empathise with that. Congenital health defects, such as Friedreich's ataxia, Prader-Willi syndrome and Pierre Robin syndrome, which is an extremely rare congenital condition, are all found in our area.

Therefore, although the incidence of such illnesses may be dismissed as insignificant, the people who are directly affected do not consider that to be the case.

The high rates of cancer, which continue to grow, have been mentioned. Twenty years ago breast cancer affected about one in nine women in my area; it now affects one in four. There seems to be a cavalier attitude towards nuclear power, as was most recently illustrated in America when live nuclear warheads were flown across the USA at the behest of the United States Air Force.

Simon Hamilton said that safety is built in to the nuclear power system. However, that does not necessarily mean that it is safe. On the contrary; there is no proof that it is particularly safe. The health-and-safety rules at Sellafield have been mentioned, and Barry McElduff referred to the poster there that told of the last accident being 21 days before his visit — I wonder whether the poster in Chernobyl stated that disaster was imminent.

The political fallout since 1957, which Mrs Hanna mentioned, has continued. Investigative journalism has targeted the industry. A recurrent theme of Members' contributions was the shroud of secrecy that surrounds the nuclear industry. If Windscale or Sellafield — or whatever they want to call it — is so safe, why was it not built in the south of England instead of on the Cumbrian

coast? I have represented at tribunals people who have particular medical problems. All but one of the approximately 40 people suffering from ME who I represented comes from Kilkeel, Rostrevor or Warrenpoint, which are all located along the same stretch of coast. As the crow flies, Sellafield is about 67 miles from Warrenpoint and Carlingford Lough. That is another example of the impact of the Sellafield accident.

Mr Gardiner talked about being a committed environmentalist, and he referred to the "dubious evidence" concerning the 1957 incident. He spoke about the improving standards in nuclear plants. I wonder what "dubious evidence" he has to show that that is the case. He talked about economic, rather than nuclear, meltdown. He referred to the First World War, the Holocaust, and the Vietnam War: those are all man-made disasters, as is nuclear power.

One of my relatives was a prisoner of war in Nagasaki when the second American bomb was dropped. Mr Simpson said that nuclear power is "of benefit to mankind." If Mr Simpson had spoken to my relative, he would have found that he disagreed. He lived into his eighties and suffered mental-health problems as a direct result of the bomb.

Mr Simpson also talked about nuclear physics. However, one does not need to be a mechanic to know how a car works. Everyone can attest to the dangers of nuclear power and the results of nuclear accidents. It has been portrayed today as a safe form of energy. I totally disagree, and I support the motion. Go raibh maith agaibh.

Question put, That amendment No 1 be made.

The Assembly divided: Ayes 36; Noes 39.

AYES

Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Craig, Mr Cree, Mr Dodds, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr McCausland, Mr I McCrea, Dr W McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Rev Dr Ian Paisley, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr S Wilson.

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

NOES

Ms Anderson, Mr Attwood, Mr Boylan, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Durkan, Mr Ford, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr A Maginness, Mr P Maskey, Ms J McCann,

*Mr McCartney, Dr McDonnell, Mr McElduff,
Mrs McGill, Mr McGlone, Mr M McGuinness,
Mr McHugh, Mr McKay, Mr McLaughlin, Mr Molloy,
Mr Murphy, Mr Neeson, Ms Ni Chuilín, Mr O'Dowd,
Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie,
Ms Ruane, Mr B Wilson.*

Tellers for the Noes: Mr Brady and Mr McKay.

Question accordingly negatived.

Question put, That amendment No 2 be made.

The Assembly divided: Ayes 39; Noes 37.

AYES

*Ms Anderson, Mr Attwood, Mr Boylan, Mrs M Bradley,
Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns,
Mr Butler, Mr W Clarke, Mr Durkan, Mr Ford,
Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly,
Mr A Maginness, Mr P Maskey, Ms J McCann,
Mr McCartney, Dr McDonnell, Mr McElduff,
Mrs McGill, Mr McGlone, Mr M McGuinness,
Mr McHugh, Mr McKay, Mr McLaughlin, Mr Molloy,
Mr Murphy, Mr Neeson, Ms Ni Chuilín, Mr O'Dowd,
Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie,
Ms Ruane, Mr B Wilson.*

*Tellers for the Ayes: Mr P J Bradley and Mr A
Maginness.*

NOES

*Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne,
Mr Buchanan, Mr T Clarke, Mr Craig, Mr Cree,
Mr Dodds, Mr Easton, Mr Elliott, Sir Reg Empey,
Mrs Foster, Mr Gardiner, Mr Hamilton, Mr McCallister,
Mr McCausland, Mr I McCrea, Dr W McCrea,
Miss McIlveen, Mr McQuillan, Lord Morrow,
Mr Moutray, Mr Newton, Mr Paisley Jnr, Rev Dr Ian
Paisley, Mr Poots, Mr G Robinson, Mrs I Robinson,
Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson,
Mr Spratt, Mr Storey, Mr Weir, Mr S Wilson.*

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

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly expresses concern at the findings of the report on the impact of the Windscale Piles accident at the Sellafield nuclear plant and the implications that this has for the health and well-being of people living on these islands and in Europe; calls upon the Department of Health, Social Services and Public Safety to make public any data which it may have available in relation to this matter; and further calls upon the Government to discontinue all operations at the Sellafield nuclear plant within an agreed timescale, acceptable to the Government of the Republic of Ireland and the Northern Ireland Assembly.

Adjourned at 6.02 pm.

Committee Stages

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR CULTURE, ARTS AND LEISURE

Thursday 27 September 2007

LIBRARIES BILL (NIA 5/07)

Members present for all or part of the proceedings:

Mr Barry McElduff (Chairperson)
Mr David McNarry (Deputy Chairperson)
Mr Francie Brolly
Lord Browne
Mr Nelson McCausland
Mr Paul Maskey
Mr Pat Ramsey
Mr Jim Shannon

Witnesses:

Mrs Anne Connolly	}	North Eastern Education and Library Board
Mr William McCartney		
Mr Gordon Topping		
Ms Patricia McKeown	}	UNISON
Mr Jonathan Swallow		
Mr John Corey	}	Northern Ireland Public Service Alliance
Ms Mary McVeigh		
Ms Alison Millar		

The Chairperson (Mr McElduff): I welcome the delegation from the North Eastern Education and Library Board — Mr Billy McCartney, Mrs Anne Connolly and Mr Gordon Topping.

Mr William McCartney (North Eastern Education and Library Board): I thank you for your invitation.

Mr Gordon Topping (North Eastern Education and Library Board): Thank you for inviting us. We are delighted to be able to present our views on the Libraries Bill. As an introduction, we will present four or five issues that will give an overview of our position.

The Library Service is primarily an education service, and its origins in the nineteenth century show

that it was designed to be education for the masses and was an opportunity for second-chance education. The synergy between the Library Service and the education service is the key determinant. Therefore, during the consultation we expressed the view that the Library Service should be part of the education authority. We did not believe that there was a need to establish another quango. We believed that amalgamation could deliver enhanced economies of scale and that it would be more efficient and avoid some of the problems that we will face, such as the separation of the schools' library service from the public library service.

That was our original view. However, direct rule Ministers decided that a regional library authority would be created, and once that decision had been made, we worked closely with the Department of Culture, Arts and Leisure to bring about the Libraries Bill. We have been fully consulted, and I pay tribute to the Department's officials for the way that they have worked with us on that.

There are four other issues to which we would like to draw to your attention and which are important in relation to the Bill. First, there is the implementation date. Until a few days ago, we had serious concerns about that, but I understand that the Assembly has given the Committee more time to consult and to conduct additional research and investigation into, and scrutiny of, the Bill. I believe that the extension is until the end February 2008, and if that is the case then I assume it will be difficult to meet the implementation date of 1 April 2008. Therefore, although we have issues about the deadline of 1 April, that may not be a problem in the near future.

Secondly, there are staffing issues. Obviously, this is a time of uncertainty for many Library Service staff, and the board wishes to reduce that uncertainty as far as possible. We must enhance staff morale, create certainty where there is uncertainty and ensure that library staff know what they will be doing and where their jobs will be located.

Thirdly, there is the issue of savings versus costs. I am sure that the Committee will want to follow that up. The board believes that an initial investment must be made to produce savings and that the scale of that investment may be significant.

Finally, we would like to draw the Committee's attention to the size and composition of the library authority's board and are prepared to discuss the governance arrangement with the Committee. Those are our concerns, and we are willing to discuss them with the Committee.

Mr McNarry: I am absorbing your report. I wonder whether you share the Committee's concerns about certain problems it has perceived. In your submission, you state that start-up costs must be properly identified

and funded. The Department stated that it has set aside £670,000 for start-up costs. Do you agree with that figure? Do you think that that amount will not be enough, and that further money will be required for start-up costs in the second year?

Mrs Anne Connolly (North Eastern Education and Library Board): We have concerns about start-up costs. The chief executive said that in order to divest, the Department must invest, but we are concerned that £670,000 is not enough. We understand that the money is to cover part-year salaries for the chief executive designate and other senior staff, a support team, the rent of temporary premises and other consultancy costs.

However, we believe that other major start-up costs have not been brought into the equation. For example, the establishment of the identity of the new authority will cost quite a bit of money; so, too, may the implementation of a new staffing structure. At present, it is not known whether recruitment and redundancy costs have been factored into the start-up costs. The establishment of permanent headquarters and a regional structure will have to be funded. Activities to unite staff and help them to identify with the new authority must also be considered. Six hundred and seventy thousand pounds is a paltry sum of money with which to do what must be done.

Mr McNarry: How much is required? That question does not need a response immediately. Part of the problem with discussions is that they do not always provide enough information; for example, as to whether 10% or 20% or more is needed. Therefore, if the question is asked, the Committee must be able to state the amount that will be required. I understand that I may be asking you to stick your necks out. However, if you are prepared to do so, the Committee would be grateful to receive the information.

The Chairperson: With regard to the point that Gordon raised, extension of the Committee Stage of the Bill has been granted until 25 February 2008. I do not believe that anyone around the table anticipates that it will take until then to complete the business; however, there is flexibility. The Committee is confident that the Bill will be dealt with before that date.

Mr Topping: From our point of view, there may be an issue as regards the implementation date and ensuring that the authority is set up properly. There are also other cost factors.

Mr P Ramsey: Following on from Mr McNarry's comments about the savings that the Department has declared will be made, and taking on board your concerns about the overestimation of those savings, what is the North Eastern Education and Library Board's budget for staffing and revenue costs?

Also, the Department of Education funds the education and library boards' early years development

programmes. How will your delivery of programme be affected when the changeover occurs?

Finally, what about the money relating to the literacy and numeracy programmes? Will the new board be able to provide the same product and remain a centre of excellence for education?

Mrs Connolly: We have concerns about the proposed savings for several reasons, not least because they are based on assumptions, and we cannot be sure that all the assumed scenarios will happen.

I am the chief librarians' representative on the Northern Ireland steering group, and we work closely with our colleagues in education to access funding for early-years learning. The North Eastern Education and Library Board has also accessed funding through the Northern Ireland Pre-school Playgroup Association to employ an extra member of staff for the early-years scheme. However, there are concerns. For example, funding for Bookstart will rest with the Department of Education, and we are concerned that we will not be able to continue to deliver the quality of service that we have now.

I missed the beginning of your question.

Mr P Ramsey: It was about the overestimated costs.

Mrs Connolly: The costing has been based on assumptions, and one example that worries us is the assumption that a number of people will choose retirement. They might not, because there is no compulsion to do so, and therefore that assumption cannot be backed up.

I am also concerned about the figures that have been cited for redundancy costs. Even if that money is put up — and we do not yet know whether there will be any money — the payback time will be at least two years, as we know from experience, so the savings have been overestimated. Additionally, the figures for planning for next year show a £1 million shortfall overall among the five boards, and given that we must add on the cost of corporate services, savings look less and less likely.

Mr P Ramsey: What is your budget for library provision?

Mrs Connolly: Our budget for the current year is £5.3 million, and we spend 62% of that on staff. That is quite generous, because we have increased our library opening hours. We have 29 ordinary static libraries and we have increased the opening hours for all of the big libraries.

Mr Topping: We are also the lead board for the electronic libraries project, and our budget for that is about £4.3 million.

Lord Browne: You seem fairly confident that the Bill will bring about the changes necessary to deliver a

modern, efficient library service; but do any specific clauses give you concern? Is there anything that you think should be included?

Mr Topping: I mentioned in my initial statement that we have concerns about several issues: one is about the governance arrangements. Originally, in the draft Bill, 10 people were supposed to be involved in the new board, and that number has now been increased to 15. It could be argued that that number is still rather small, particularly if an adequate committee structure is to be set up.

Another issue worrying us about the governance arrangements is the composition of the board. The anticipated arrangements will follow the Nolan principles and will go through the normal Office of the Commissioner for Public Appointments process. However, the Bill is not establishing any type of representation requirement; for example, the new board might not be representative geographically or take into account local interests. We would like that provision to be included, so that stakeholders can become involved in the new governance arrangements.

We are also concerned about the need to move rapidly on the staff-transfer scheme, in particular. I mentioned the problems that staff face, such as uncertainty, low morale and concerns about their future. The sooner we can get the staff-transfer scheme under way, the better. We have always regarded all our staff as being board staff, whether they work in the Library Service or the Education Service. However, the difficulty is that some staff will go to the education authority while another group will go to the library authority, and perhaps at different times.

Over the past 15 years, we have been developing a system that manages staff in a corporate way across funding boundaries. Therefore, one of the difficulties will be in separating the staff because if the transfer systems develop at different speeds library staff could find themselves being transferred before education staff, or vice-versa, and we would be left to pick up the pieces. We could end up with staff for whom we have no funding, or we could have education staff who will have nothing to do.

Lord Browne: Would there be an adverse effect on staff if the library authority were not formed by 2008?

Mr Topping: Not necessarily. However, more certainty must be built into the system to ensure that the date for the library authority's formation becomes a deadline. That must be a realistic date. I did not believe that 1 April 2008 was ever an achievable target. All staff must be treated equally and at the same time. That would allow us to manage the transfer more effectively.

Mr P Maskey: I am not sure whether my question has already been asked. In your submission, you have

stated your concerns about the Libraries Bill. You said that you were concerned that the library authority will be established before the education and skills authority. What are the problems with that? What risks are there to your board if the new library authority is not established by 1 April 2008?

Mr Topping: When the library authority and the education and skills authority are established, we will have to split the services — the schools' library service is funded by the Department of Education, and the public library service is funded by the Department of Culture, Arts and Leisure. In addition, some people are currently being paid from two separate budgets. However, they are board staff and are being paid partly by the Library Service and partly by the education service. For example, Mrs Connolly is the director of library and corporate services, and part of her salary comes from DCAL and part of it comes from the education service. When the new library authority is set up, we will have to divide the staff so that they are paid by one Department. If, for example, a member of staff decides that they do not want to transfer to the library authority, or if it is not appropriate for them to do so, we could be left with a person whose salary is transferred to the library authority. That could be a major issue.

Mr P Ramsey: You could also have two redundancies.

Mr Topping: Yes; that is another matter. There are issues around staff being treated with equality and how the service would be delivered by the new library authority if staff do not have enough time to set up the systems, processes and structures when it comes into operation. As an organisation, we will be facing problems such as paying staff, processing accounts, monitoring finance, and purchasing materials.

I do not think that there are any risks if the transfers to the library authority and the education and skills authority are managed simultaneously and through the same process.

Mr Shannon: Thank you for your presentation. Concern has been expressed, not only by yourselves but by others, about how support-services costs for the new authority have been calculated. The fear seems to be that those costs will be greater than anticipated. Do you have any figures indicating the cost? Also, do you have a view on the best location for support services?

Mrs Connolly: We are examining the Deloitte report, and we hope to have discussions with DCAL and colleagues about the concerns that the report has raised. On initial reading, we believe that the costs have been underestimated. We have no figures, but we are prepared to work on that. Also, if we are thinking about efficiency, support services should be at a shared location.

In our view, sharing support services with the education side would be an option. Another option would be to share support services with other agencies in DCAL.

Mr Brolly: The fundamental concern in your submission, and in others, is that the new library authority may become clinical, with officials living in an ivory tower and losing contact with developments on the ground. How can we ensure that the library authority keeps close contact with the education side and local councils and maintains the kind of “warmth” of the Library Service, as opposed to becoming an organisation that may become clinical?

Mr McCartney: As a user of the library service, as well as being chairman of the library committee, I connect with my local library. I know the staff; they know me, and that essence must be maintained. There has to be a local connection. I hope that whatever happens as regards the councils they will take a keen interest in the libraries in their area.

I visited a library in the United States in which local volunteers had formed a “Friends of the Library” group. Establishing such groups here, with the help of the local councils, would maintain the local connection. I foresee that the new library authority will be large and efficient, but it will need to maintain a local dimension. There should be a subregional dimension, since, in order to cover the whole of Northern Ireland, the library authority has to be quite large. Councils will have a role to play in that. The original concept of coterminosity should be revisited to assist in that process.

The Chairperson: Thank you for your presentation.

I formally welcome Patricia McKeown and Jonathan Swallow from UNISON.

Ms Patricia McKeown (UNISON): The Committee has UNISON’s written submission in which, of necessity, we have adopted a twin-track approach. Members will know from the first part of our submission that we do not believe it right to proceed with a separate library authority for a number of reasons. We want to return to the original concept of the review of public administration (RPA), which was about achieving better, more effective delivery of public services.

We were very concerned when we saw a proposal in the RPA that would lead to the establishment of a separate quango for libraries, because we could not see sense in that. The proposal seemed to be more about that part of the public service fitting in with the administration of the state rather than looking for the most sensible location for library services.

From an early stage, members of UNISON who work in and service the education and library board

sector have been of the clear view that libraries should be part of the education system, and that, whatever type of education structure Northern Ireland ends up with, that is where they should stay.

The fairly widespread public view is that we need to address the existing proliferation of quangos instead of creating new ones. That has been pretty much an all-party argument for a very long time, and for UNISON it is still extremely valid.

We looked at how library services are constructed in Great Britain — where we are the main union in the library sector — and in the Republic of Ireland. Neither jurisdiction has anything vaguely resembling a single authority for libraries. Library services in both of those jurisdictions are constructed in such a way that they are within democratic control, and elected representatives and the community are involved in delivery.

The other issue for Northern Ireland is that the small scale and geographic spread of our libraries do not easily lead to the creation of a single authority to control them. There are a number of reasons for that. The proposed authority would face very significant challenges in building critical mass. There would be particular problems in how corporate overheads, and any other support costs, would be absorbed. The financial and explanatory memorandum did not address that subject in any detail, which UNISON found disappointing. Undoubtedly, that will bear down on the service and employment.

The strength of public feeling in local communities has been seen recently, with the proposed closure of branch libraries. UNISON cannot see how the establishment of a stand-alone body, which would then be required to deal with a range of overheads and other support services, would not end up with a future programme of library closures in order to fund the existence of that body. That concept is completely opposite to that of the RPA, which is about how resources can be channelled down to the front-line services and into communities. An effective structure for doing so already exists in the education and library boards. People are already employed to carry out overhead and support tasks for a very large critical mass of education workers, and they deliver that service in a very cost-effective way for our libraries.

UNISON also has very clear views about the critical links among libraries, wider education and lifelong learning. Those links will be damaged if libraries are taken out of the education sector and left to stand alone. Education reform is outside the brief of the Committee for Culture, Arts and Leisure. I realise that the Committee is concerned about the funding of libraries, but we have consistently argued that there needs to be greater crossover among Departments

in matters relating to public-service delivery. That is how we should proceed to achieve the most effective services. We saw the recent ministerial announcement about the delay of the education reform structure, and that will have an immediate bearing on the work of the Committee.

The Committee should advise the Assembly that it should not proceed with the draft legislation that proposes a stand-alone library service. That is not in the best interests of the public — particularly in local and rural communities — and it will not achieve a cohesive, all-embracing delivery of education in schools, the workplace and the wider lifelong learning agenda. That is not the best way forward, and it would be better for the Library Service to remain within the education sector. We do not believe that the draft legislation is capable of being amended to that effect, and its recommendations should be set aside.

If that is not the view that is arrived at by the Committee or the Assembly — and I hope that that is not the case — we will make other proposals about the legislation as it stands. In particular, we will make proposals regarding the protection of the workers we represent. We have said some technical things about that in relation to the current draft.

Mr Jonathan Swallow (UNISON): If the legislation proceeds, there are two issues about which we are concerned. Health reform — the creation of the five trusts — proceeded without an agreed transfer scheme and framework. By the time it happened, we were on the forty-eighth draft. That was a fundamental deficiency, and it was not on the trade union side — we were trying to get it right. That creates a risk of litigation and concern for all involved in the health sector. An agreed transfer scheme would be of enormous benefit to all parties in the process, not just the trade union side. There can be statutory provision for that through the use of the word “agreed” and its definition in the explanatory memorandum.

I am also concerned — and it is the wider policy of the trade union movement on all such reform — that Northern Ireland is clogged up with so many industrial tribunals, with enormous waiting lists. That is not a good way of solving problems. UNISON is proposing a third-party process — unique to the RPA — whereby any individual or group could take an issue in respect of transfer, or failure to abide by transfer schemes or frameworks, and have a speedy resolution. The legislation — if it proceeds — would be enormously strengthened by the inclusion of such provisions.

Mr P Ramsey: It is important to look at the library provision in the legislation, and we are questioning a number of the submissions that have been made. You have expressed concerns on literacy and lifelong learning, and the important role of early-years

development. How do you feel about those areas coming under a single authority that would be funded exclusively by the Department of Education, rather than DCAL or the education boards? Your submission also expresses your concern that there is no grievance procedure in the existing library provision; I am also concerned about that.

How would you like to see the Bill amended to ensure that different mechanisms will be in place to give resolution and comfort to employees with grievances?

Lord Browne: Are you concerned that setting up the library authority before the education and skills authority will have adverse effects for your members? How will that affect morale? Should the two bodies be set up in synchronisation?

Ms McKeown: I will answer Lord Browne’s question. We do not want the Assembly to set up a separate library authority, but setting it up on a different timescale to the reorganisation of the education sector would be a disaster. We are already experiencing problems in the Health Service, where there has been some reorganisation in a significant part of the service while the other part has been, quite rightly, stalled — and we were advocates of that stalling. The difficulty is that there are big morale issues for a large number of staff who are uncertain about the future.

Low morale and uncertainty have a knock-on impact on service delivery, and we hope that that will be put right. However, there is a big lesson to be learned when it comes to the education and library sector. Somebody else has already got a mess on their hands, and we do not want to see the same thing replicated in the education and library sector. We have made that very clear. The current employers feel exactly the same way, and it would be as big a nightmare for them as it would be for the unions.

Mr Swallow: I shall pick up the point on literacy. I had the privilege of working with the Belfast Education and Library Board and the unions on a review of literacy provision. The clear outcome of that review was that we should get all hands on deck, get focused, and integrate services, because the review found that 25% of pupils in Belfast were functionally illiterate when they left school. Devastating statistics require urgent responses. However, we found that, although we could form partnerships with other bodies, the more issues we had under direct control and under direct inclusion in the literacy strategy, the more effective that strategy could be. Losing that organic link with the Library Service would be profoundly damaging. Let us remember that literacy is a central part of the health equality strategy: people who are literate are also healthier. This is a fundamental policy issue that crosses several Departments and we must be

careful that we do not weaken the cohesion to focus through the education service.

We work with employers on lifelong learning literacy training for people who have been let down by the schools system. We should not be doing that; we should be running other forms of training jointly with employers, and the schools system should be producing pupils with literacy skills.

As for grievances, trade unions will negotiate effective internal grievance systems, whatever structures emerge. That issue arises if the system were to fail during the transfer process. We are seeking a fail-safe third-party mechanism across the review of public administration as the best way of giving people confidence and belief that they will be treated fairly during the difficult circumstances of merging.

Ms McKeown: That is also very detailed work. The Committee has documentation of the work being done under the auspices of the Northern Ireland Committee of the Irish Congress of Trade Unions in the central RPA negotiations. That work is at a fairly advanced stage and involves the type of amendment that would be necessary to give effect to it in the legislation — which we hope will not proceed anyway.

Mr Shannon: We probably all agree that the new library authority is unlikely to be established before 1 April 2008. If that were the case, would there be any risks or disadvantages for your members?

Ms McKeown: I cannot see any risks at all in the status quo.

Mr Brolly: Mr Swallow mentioned cohesion. Everyone is worried that the new library authority may become separated from the grass roots. Ms McKeown said that the legislation is not capable of amendment anyway, but if the worst comes to the worst — in Ms McKeown's terms — and there is a new library authority, how could cohesion be retained, and how could legislation ensure that we keep in touch with the grass roots in education, local authorities and so on?

Ms McKeown: One way would be for the new library authority to have democratic representation of communities and elected representatives on its board, and other interest groups, such as other public-sector providers.

We must be much more imaginative when considering new structures. We are fearful of unaccountable quangos — there is no imperative on them to do business collectively and cohesively.

Mr Brolly: Do you also welcome the inclusion of members of trades unions and their representatives?

Ms McKeown: Yes. However, we believe that we ought to be included as of right, rather than go through

a vetting system that requires us to measure up to somebody else's standards.

The Chairperson: Could you address Jim's question, Patricia?

Ms McKeown: We do not think that there are risks with the status quo. Obviously, people are nervous because everyone wants to know of what the new structures will consist. The sensible decision is to wait, rather than put anyone in the position that approximately 60,000 health workers found themselves in. We are still dealing with the fallout from that.

Mr Swallow: On the question of risks, education boards provide corporate support services such as payroll, asset management and cleaning to libraries. The mood music in some circles is that both the library authority and the education and skills authority want to go their own way on those matters — almost like a clean-break divorce, heaven help us.

That leaves people at risk, because we do not have whole-time equivalents. Therefore, for example, the library authority would have no one to manage cleaners. As a result, the inevitable contracting out would follow. Regarding the payroll, asset management and other corporate sections, there is no way of transferring any individual — under The Transfer of Undertakings (Protection of Employment) Regulations 2006 legislation — as no one is identified with the work. However, there is a substantial loss of workload, and, as a result, there will be redundancies.

There are knock-on effects. It is disturbing to see the emergence in both organisations — even in preliminary discussions on new structures — of a culture in which people want to make a clean break and go their own way.

Mr McNarry: I share your overview on quangos. Unfortunately, we are not here to discuss quangos; we are here to discuss a Bill. With any new authority, start-up costs need to be properly identified and funded. The Department has stated that it has set aside £670,000 for start-up costs. Do you have any reason to believe that £670,000 is sufficient, or will further money be required to meet start-up costs?

Ms McKeown: We strongly believe that further money will be required for start-up costs — if not immediately, soon. However, if the functions that still have to be carried out, such as the delivery of services and the employment of staff, are properly dealt with, further money will be very quickly required in the short term.

We cannot understand why a crazy proposal to replicate what is already in place should be on the cards at all. The Department would be better served by putting that money into the reform of education per se.

Mr McNarry: What will the costings be? Are you in negotiations about costings to cover the issues that you have identified?

Ms McKeown: We do not know what size the proposed empire will be — that is how we regard it.

Mr McNarry: Empires grow. It would be useful to gauge your opinion about how costs might escalate. If costs are to be challenged, the obvious question is: how much will those costs be?

Ms McKeown: We will be very happy to give our opinion in consultation with the education and library boards. They will tell us the extent to which their staff provide core and support services on the delivery side — I think that that is a quantifiable figure.

Mr McNarry: Will you provide the Committee with that information when it has been completed?

Ms McKeown: Yes, I would be pleased to do that.

Mr McNarry: I would be grateful to receive it.

Mr Swallow: In a divorce, an inventory of assets is usually produced. In this case, the inventory of assets consists of buildings, people and their work. I would start by counting heads and asking what proportion of each person's time is occupied by library work. I would then estimate the effect of the divorce, should two separate identities be opted for or support continue to be provided. The Department has not carried out enquiries in any detail, and we have had no evidence from our members of such a census approach being taken. If a sound baseline for start-up costs is to be established, those enquiries are essential and must happen.

Mr Brolly: It is strange that you have not done that.

Mr McKeown: That is not our responsibility. The proposal came from the Government and from Departments, which have all the resources and knowledge to make those enquiries.

Mr Brolly: On the basis that you question the figures —

Ms McKeown: We question the figures on the basis of experience. We have lived through so many public-sector reorganisations — not least in health — and have seen the consequences.

Mr McNarry: Will you have a crack at it for us?

Ms McKeown: The existing employers should do some work on that matter. They know, in detail, the extent to which the existing workforce provides services that keep an efficient, first-class library service operating.

The Chairperson: I thank Patricia McKeown and Jonathan Swallow from UNISON for attending and presenting evidence. The Committee is grateful.

I formally welcome the deputation from the Northern Ireland Public Service Alliance (NIPSA), which comprises John Corey, Mary McVeigh and Alison Millar. John, please introduce your team.

Mr John Corey (Northern Ireland Public Service Alliance): I am joined by Alison Millar, who is the NIPSA official responsible for approximately 800 members from the Library Service. We represent more than 70% of library staff. Mary McVeigh is the chairperson of our library subgroup and a real live librarian. That is the team; I am the general secretary of NIPSA.

The Chairperson: Please present your evidence. Incidentally, thank you for your detailed submission, which we have all read twice. *[Laughter.]*

Mr Corey: I am pleased to hear that. I understand that the convention is that I should present for five minutes and allow time for questions. However, if the Committee agrees, and given the technical nature of the points that we have raised, I do not intend to speak for five minutes. There are two parts to the evidence that we have submitted and to the issues that concern us.

There are general issues regarding a library authority in the first part of the Bill and in schedule 1. The Executive made it clear that the schedule 2 provisions will become the model for all RPA transfers. The provisions of schedule 2 go significantly beyond the proposed library authority.

Alison Millar will deal with the first part of our evidence about the provisions of the Libraries Bill, which Mary will comment on. I will deal with schedule 2. The Committee has helpfully identified the main issues and some questions from our submission, which we are happy to deal with.

Ms Alison Millar (Northern Ireland Public Service Alliance): NIPSA suggests that the ancillary powers of the library authority be widened. Not all libraries are established by statute — the Linen Hall Library is an example — so NIPSA wants to ensure that the new library authority can work and co-operate with other relevant bodies without impediment. The ancillary powers are too narrow; we should ensure that the authority is inclusive rather than exclusive.

The legislation on charges for certain library services is narrow and could give rise to discriminatory procedures. The legislation could be interpreted in several ways: could one person be charged more than another? Will individuals and corporate bodies be charged differently? Will a foreign national be charged differently? The legislation is ambiguous. Those are NIPSA's main concerns.

The size of the library authority's governing board is one of the issues that arise from paragraph 2 of schedule 1, which deals with membership. Eight

members is too few, and NIPSA suggests extending that number to between 12 and 18 because a board of between eight and 12 would not provide the necessary breadth of knowledge, experience, and fair representation of interests.

There should be fair representation for all sections of society — elected representatives, trade union nominees and representatives from the business community — in the allocation of seats. That is not reflected in the established bodies, which do not have trade union nominees or elected representative as of right. Each of those sections should receive a third of the seats.

The question was asked whether trade unions have seats on the education boards — we do not, which is due to the current regime. Historically, the education and library boards always had elected representatives and trade union nominees present as of right. That was fair and reflected the aspirations of those that we represented on the education and library boards.

NIPSA is trying to ensure a turnover in tenure of office in line with current recommendations so that a chairperson does not serve more than two terms of three years. That is to ensure that there is some turnover, but also allows for consistency. No one will be able to serve more than six years as a chairperson.

We also raised the issue of secondment. We are not opposed to how that is treated in the Bill, but we want to broaden the provision to have a two-way process, allowing for Civil Service secondments between the education and skills authority and the library authority, and between the library authority and the education and skills authority. Provision in the Bill is too prescriptive, and it needs to be broadened so that secondment arrangements that are appropriate for everyone are in place.

We raised the issue of the schools' library service with Department of Culture, Arts and Leisure officials over the past few months. At present, the library service itself is small and receives a small funding allocation, yet the schools' library service has to be funded from within that. It is proposed that the schools' library service be placed under the aegis of the education and skills authority, and the public library service placed under the aegis of the Northern Ireland library authority. Staff should be able, for career-development purposes, to transfer between the two organisations, and in the case of redundancy, for example, staff could be protected by redeployment from the schools' library service into the public library service, and vice versa.

I raised that matter at an informal meeting with the chief executive designate, who was appointed only recently. Expressions of sympathy were made by her and by the Department of Culture, Arts and Leisure. I

again raised the matter informally with Mr Gavin Boyd, the chief executive designate of the education and skills authority. Although those concerns were noted, they were in a long line of issues that the chief executive will have to deal with, and we are concerned that they will fall off the agenda. That is why we particularly want to protect staff. I should explain that staff are not appointed to the schools' library service; they just end up there. People could be transferred from the schools' library service a week before the Bill is enacted and then find themselves in the Northern Ireland library authority. Those are most of the issues that we wanted to cover in respect of schedule 1 to the Bill.

The Chairperson: Mary, do you wish to add to that?

Ms Mary McVeigh (Northern Ireland Public Service Alliance): No.

The Chairperson: Then we will proceed to questions.

Mr Corey: Yes, and we will deal with schedule 2, if that is acceptable.

Mr McNarry: I am unsure about the schedules, but I will ask some questions because we are short of time.

I welcome the witnesses. You are all busy people and I wish you well with your course of action. I will ask about savings, and then about costs. In your submission, you state an obvious concern about the way in which the savings predicted for 2009-10 and 2010-11 have been calculated. You do not accept that these figures are accurate. Do you think that the Department has overestimated the savings that can be made?

My next question is about start-up costs, which need to be properly identified. Some £670,000 is set aside for start-up costs. Have you any reason to believe that that will be enough? Will further money be required because the start-up costs have been underestimated?

Ms Millar: We had raised the issue of cost, and mentioned it to the Department and the Minister when we met him in July. Subsequently, I received a letter dated 2 August. However, the information in that letter left me none the wiser.

The first part of your question was about the estimated savings over those two years. Although any new organisation would not need five chief librarians, we were concerned by the proposal to have fewer staff at senior- and middle-management level. However, more importantly, a degree of natural wastage is expected among staff from 2008 to 2011 by way of retirement, but, as I have already said, some of that cannot be absorbed without replacement.

There have been significant cuts in the libraries budget over the past three or four years, and many posts in the Library Service have been lost. We expected that a new library authority would need a

capital injection at the start to ensure that it got off to a good start — everyone around the table would want the new library authority to be successful. However, my concerns are that the letter was saying to us that, as staff leave, they would not be replaced. I wonder how that will be received.

We are also concerned about the figure of £670,000, which has been divided — including staff salaries of £380,000 — into £385,000 and £200,000 for consultancy work. We have asked for a further breakdown of the figures so that we can see how they were arrived at and can make a judgement as to whether they are enough. That request was sent to the Department on 13 August. Unfortunately, we are still waiting for a response. We are very concerned that almost one third of the money set aside will be used to pay consultants. That is a huge amount of money for a relatively small organisation.

Mr McNarry: I sense that NIPSA is set to challenge the Department on its start-up cost figures. Would that be on the basis that it has had costs prepared that indicate that £670,000 is not enough?

Ms Millar: We have not received that information. We have asked the Department to explain how it arrived at the figure of £670,000. Without knowing that, as a starting point, it is difficult for us to challenge the figure. We only have three short paragraphs, which do not provide us with the information that would allow us to move forward.

Mr McNarry: If that information is forthcoming, and NIPSA has an opinion on it, would you apprise us of that? That would be very useful. I am not too sure where NIPSA stands on the setting up of the new authority. Are you in favour, mildly in favour, against, or mildly against?

Mr Corey: My colleagues can comment on that point. However, I would like to quickly deal with the finances. The Department has said that £380,000 of the £670,000 is for staff salaries; £85,000 is for premises and computer set-up; £6,000 is set aside for support for board members, and £200,000 is for consultancy, which we are concerned about.

We have come through a process of considering all the options for a new library authority, but the current view of Library Service staff, the majority of whom are NIPSA members, is that they favour a single library authority as the best option for the delivery of a library service in the future. However, there is a significant concern about the interface between the schools' library service and the new library authority.

On the question of the timing of the establishment of a new library authority, and whether we have a problem with a delay until 1 April 2008, the simple answer is no. It makes sense from an employment-relations point

of view to introduce the education and skills authority and the library authority at the same time.

Mr McNarry: Thank you for that answer.

Mr Brolly: It is interesting that you are in favour of the establishment of a single library authority, but that you also have concerns about how that authority may lose contact with the educational establishment. What recommendations would you make to ensure that the new library authority keeps in touch with the grass roots in the way that the current library system does?

Mr Corey: We have not come prepared to answer that specific question, but I will ask my colleague Mary McVeigh from the Library Service to comment on that. It is fair to say that our members in the Library Service feel that it has been the Cinderella service of the education and library boards. They feel that when difficult times come, the Library Service always suffers most. They believe that the creation of a clear single library authority in Northern Ireland would remove that difficulty and enable the service to stand on its own. Mary may wish to say more about that.

Ms McVeigh: Our members are very much in favour of rural libraries and libraries in the community. I would say that they are 100% behind maintaining the links that already exist in communities. They do not envisage that the establishment of a single library authority would change that.

Mr Brolly: I disagree slightly. There is always a possibility that when a service becomes strongly centralised —

Ms McVeigh: We would want to make sure that —

Mr Brolly: That is exactly the question that I asked. John said that you might not have been prepared for the question, so it would be useful if you could send the Committee a written submission on that matter.

Ms McVeigh: I am in charge of the Irish and Local Studies Library in Armagh, which is part of the Southern Education and Library Board. We hope that a library such as ours would not be caught up in a central body in Belfast, and that we could maintain those types of local facilities.

Mr Brolly: I understand that.

Lord Browne: I congratulate you on your full and good submission. You said that, in general, you had no objection to the provision for secondments between the new authority and the education and library boards. You also say that the Bill does not mention the schools' library service and that staff should retain the right to move between the public library service and the schools' library service. As the Bill stands, paragraph 6 of schedule 1 mentions only secondments from the Civil Service. Have the staff of the boards expressed any view on that, and have you had any indication

from the Department whether such secondments and moves would be allowed?

Ms Millar: As I have already said, sympathy has been expressed, but sympathy expressed at informal meetings does not necessarily translate into action in reality. At this point, our concern is that because staff in the schools' libraries service make up quite a small group within the Library Service, they will be forgotten about until it is too late. We want to ensure that the schools' library service is taken into account. I do not know how that matter sits within a legislative framework.

The education and skills authority will be responsible for the schools' library service, and I am not sure how it will interact with the new library authority. I will bow to those who know more about writing legislation than I do, but does a specific provision need to be written into the legislation to allow for the transfer of staff for career development purposes, and, perhaps, for a redundancy situation? When I have raised the issue, sympathy has been expressed, certainly by DCAL officials and Irene Knox, but we have seen nothing formally in writing. Obviously, there must be liaison with the Education Committee and the chief executive of the proposed education and skills authority.

Lord Browne: How would you describe staff morale at the moment? Are they anxious?

Ms Millar: They are very anxious. The one question that is asked at every single meeting I have with staff is about the schools' library service — it is even asked by those who do not currently work in the schools' library service. That gives an indication of the level of anxiety.

Mr Shannon: I commend NIPSA on its presentation and on the information that it has provided. I also commend it on its campaign for classroom assistants, and we hope that that will be success. NIPSA certainly has our support.

Alison, you answered many of the questions before they were even put to you. You mentioned the membership of the authority. Keep me right, but I believe that NIPSA's proposal was that one third of board members should comprise business representatives, another third should be community representatives, and the final third should be elected representatives. Is that correct?

Ms Millar: No. One third should comprise business and community representatives, another third should be elected representatives, and the final third should be trade union nominees.

Mr Shannon: I may have missed your comments about the number of members on the new library authority board. How many would you recommend should be on the board? You are not agreeable to there

being only seven and, to be fair, I think that some of us are not happy with that either. I am interested in your opinion on that.

Ms Millar: There should be between 12 and 18 members on the board.

Mr Shannon: You also mentioned tenure of office. Again, my opinion may differ slightly from yours, but I am keen to learn your opinion on the matter. You said that a chairperson should serve for a maximum period of one term. I am not saying that a person should be a chairperson for life, or even that he or she should be like the Chairman of this Committee. *[Laughter.]* However, if the library authority's board had a good chairperson, whoever that might be, would it not be better, for the sake of consistency, to be flexible on the maximum term for which that person could serve?

Ms Millar: We said in our submission that the reappointment of a chairperson should be for a maximum of one term. Therefore, the total period in office would amount to two terms. Normally, a chairperson would be appointed for three years. Consequently, the maximum time for which a chairperson could serve would be six years. After that time, it is only fair that the post be advertised and that the same chairperson not be reappointed. Such a turnover would allow for fresh thinking to be brought to the post. That is why NIPSA suggests a maximum period of six years — that is, the original term and the additional term.

Mr Shannon: Are you saying that a chairman who has been in post for six years could put his or her name forward for reappointment?

Ms Millar: No.

Mr Corey: NIPSA broadly accepts, and this is now the norm for public appointments, that people should not serve any more than two terms. Furthermore, those terms should last for three or four years. We have accepted that broad point.

NIPSA believes that it is right that the library authority, the education and skills authority or the health authority should include elected public representatives. That is consistent with the review of public administration's principle on democratic accountability — now accepted by the Executive — which states:

“elected representative, both locally and regionally, can play their full role. That role includes decision making about services”.

However, NIPSA also says that representatives of employees, and of employers, in the sense of social-partnership representation, should be included.

Mr Shannon: Are trade unions represented on the education boards?

Mr Corey: They used to be represented on the education boards. However, the current public-appointments system tends to exclude representational groups. That is not in the best interests of the authority, or public services. Some public bodies are no longer wholly representative of society, because different sectors of society are not represented.

The Chairperson: John, may I ask you to move on to the second part of your submission?

Mr Shannon: May I ask another question, quickly? Mr Corey, you have expressed concerns about your staff. Do you feel that enough of your members will apply for redundancy packages and, therefore, make the savings work?

Mr Millar: No. We want the jobs to be retained. We will not encourage people to leave the organisation.

The Chairperson: John, could I ask you to move on to the second part?

Mr Corey: I would like to mention schedule 2 to the Bill, which provides for transfer schemes. NIPSA has provided some comments on the schemes in our written submission. We have submitted those comments to the Committee in a separate appendix.

The points that we have raised in our submission are all based on advice from senior legal counsel Mr Frank O'Donoghue QC. The facts are that those points have not been resolved to our satisfaction. The Committee asked whether those points had been resolved in negotiations with the Department. The answer is no, and that is because the parliamentary draftsman's response to all the points that were raised was that he did not think that any of our suggested amendments were necessary. We remain in disagreement, so we have come before the Committee to put those points at the Bill's Committee Stage.

I apologise that the matter is so technical; I may struggle to get everything across. The first point relates to paragraph 1 of schedule 2. Paragraph 1 provides for a scheme, the three elements of which are set out at 1(a), 1(b) and 1(c). Our legal advice is that paragraph 1 is deficient, because it does not also create any rights or liabilities for the employee or between the employee and either the transferor or the new authority.

The legal advice is that there should be wording in paragraph 1 to create rights and liabilities between employees and the transferor or the authority.

The response from the parliamentary draftsman is that that is not necessary because of paragraph 4(2), which states that The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) apply:

"The Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246) apply to the transfer whether or

not the transfer would, apart from this paragraph, be a relevant transfer for the purposes of those regulations."

The parliamentary draftsman's argument is that additional wording is not needed because of that provision. Our legal advisor's concern has been that, even though there is a provision in paragraph 4(2) — which he refers to as an antonymous paragraph; in other words, its meaning is opposite to the rest of the scheme — an industrial tribunal could still face a challenge from an employer that a particular transfer is not a relevant transfer for the purposes of TUPE.

The underlying reason behind this is that TUPE legislation does not apply to public-sector reorganisations — they are excluded. Therefore paragraph 4(2) has been included in the Bill — as an antonymous provision — as an attempt to make TUPE legislation apply to public-sector reorganisations.

Nonetheless, our legal advisor is concerned that that could be challenged in an industrial tribunal. His point is that the whole of schedule 2 should make it clear that the transfer scheme includes employee rights and liabilities by adding appropriate wording to paragraph 1 of schedule 2. That is the point that carries through from the other points made in paragraphs 6 to 8 of appendix 1 to our submission. The same point is made in those paragraphs and, hopefully, they have explained the underlying factors. That is part of the complexity of TUPE legislation and transfer legislation.

To move on to other points that were raised in our submission: we raised a concern about paragraphs 4(3)(c) and 4(3)(d) of schedule 2. We believe that paragraph 4(3)(c) should include a reference to incorporating independent arbitration. Currently, the paragraph refers to procedures designed to resolve grievances, but we believe that that should be extended to include the phrase "incorporating independent arbitration". We were also concerned that paragraph 4(3)(d) should include a clear reference that the determination of the compensation should be subject to the procedures under grievance and independent arbitration.

Again, the parliamentary draftsman's response was that those amendments are not considered necessary, and he went on to argue that if anyone was dissatisfied with the compensation that they received, they could go to an industrial tribunal. With the greatest respect, we believe that that misses the whole point of why the legislation for a transfer scheme exists. The point is that we are trying to secure a statutory duty on all employers under the review of public administration to provide for transfer arrangements for employees that are additional to TUPE.

That is the entire purpose of this. It is not a satisfactory response to say that the changes do not have to be

made because if anyone were dissatisfied about compensation, he or she could go to an industrial tribunal, presumably under TUPE legislation. The key point is that one can only go to an industrial tribunal under TUPE legislation if one has constructively dismissed oneself or been otherwise dismissed. The procedures that NIPSA wants to set up under a transfer scheme are to enable employees to pursue complaints in order to be paid compensation and grievances, but remain in their employment. That is the fundamental difference. There has been no resolution on that. In our submission, we proposed specific amendments that could be made to paragraphs 4(3)(c) and 4(3)(d). We stand by those suggested amendments. We believe that they are reasonable because they are based on other models of legislation that use the same type of phrases.

I would now like to refer to paragraph 4(6) of schedule 2. I apologise if members were misled by paragraph 11 of appendix 1 of our submission, which refers to “paragraph 6”. It should have read “paragraph 4(6)”. That sub-paragraph deals with grievances and who will hear them. NIPSA is concerned that the sub-paragraph, as drafted, does not make it sufficiently clear that grievances will be heard by an independent person or body. It will be left to the authority or the employer to nominate any person or body that it wishes to hear a particular grievance. That person or body does not necessarily have to be appointed by the Labour Relations Agency in line with independent arbitration arrangements.

Therefore, we believe that paragraph 4(6) should be revised in line with the wording that we have suggested:

“Procedures under paragraph (3)(c) and (3)(d) above shall include a mechanism for grievances to be referred to independent arbitration under the aegis of the Labour Relations Agency.”

I must say that I have never before seen the formulation of words that appears in the Bill in legislation that relates to employees, grievances and independent arbitration. I am not sure of the background from which it came.

In passing, I want to point out that the Public Service Commission has requested that the order of paragraphs 4(3)(c) and 4(3)(d) be reversed in order to make it clearer that the consideration of compensation is a matter that falls under grievance procedures. At present, the mention of grievance procedures comes before compensation. The commission has suggested that paragraph 4(3)(c) should deal with compensation and that paragraph 4(3)(d) should deal with grievance procedures. However, we stand by our suggested amendments.

Finally, paragraph 4(5)(b) deals with pension protection. We are concerned that it does not adequately protect pension benefits. The draft legislation states that:

“‘pension protection’ is secured for a transferring employee (‘T’) if after the change in T’s employer T has, as an employee of the Authority, rights to acquire pension benefits”.

In law, it could be argued that there is a difference between rights to acquire pension benefits and actual pension benefits. NIPSA made that point to the parliamentary draftsman but it was rejected as being unnecessary. Our understanding is that it was rejected because the Department was unwilling to make the change on the basis that, in law, a person has the right not to opt into an employer’s pension scheme. In law, a person can decide that he or she does not want any pension benefits. The Department is saying that it cannot write in a provision that implies that a person must take the pension benefits that will be available in the new authority. That is not right, nor is the idea that the principle — that a person can decide not to have pension benefits — is in any way nullified by the amendment that NIPSA is suggesting.

NIPSA’s written submission suggested amending the paragraph to follow the wording that was used in one of the most recent examples of such legislation, the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999, which dealt specifically with transfer of staff and pension entitlements. NIPSA can see no reason why the same legislative point could not be repeated in the Libraries Bill.

However, as an alternative, NIPSA suggests an even simpler amendment to paragraph 4(5)(b) which currently states:

“as an employee of the Authority, rights to acquire pension benefits and those rights are the same as”.

We suggest removing the words:

“and those rights are the same as”.

The paragraph should be amended to read:

“rights to acquire pension benefits which are the same as”.

That would meet NIPSA’s point. I want that suggested amendment to be put on the record. The first suggestion was to follow the North/South implementation bodies’ legislation model. However, I have made the further suggestion that NIPSA’s point of concern would be met by the above amendment.

Those are the key points of the legislation that are of concern to NIPSA, and we have not resolved them with the Department. As I said at the outset, they are critically important, because they are not relevant to the library authority alone. The Executive have made it clear that this will be the model for all review of public administration transfers, so we must get it right.

The Chairperson: Given the time pressure that the Committee is under, I will allow two contributions. However, we will study everything that NIPSA has said today and its written submission. Thank you.

Mr McNarry: We were with you all the way until you mentioned schedule 2. I am glad that the Committee Stage has been extended until February to allow us to consider it all — that was positive thinking on the Committee's part. Normally, technical arguments put us to sleep, but you have woken us up, John. It is heavy material, and you have almost taken the Committee through a training exercise. The Committee will scrutinise the Bill line by line, and we are glad of your input.

As the Chairperson said, the Committee will need to examine in depth what you said and the amendments that you are asking for. Will you be blunt and tell the Committee where you are going with this, and what you want the Committee to do? Are you looking for sponsors, or for someone to assist you in what you are doing? I am not clear about that. You have made your points; do you then have to convince someone in the Assembly to argue those cases? Have you started that?

Mr Corey: Yes. We have started the process in that this Committee will be considering the Bill at its Committee Stage. As you have said, that involves a line-by-line scrutiny of the clauses, and NIPSA is seeking to influence the Committee in that examination.

Mr McNarry: I understand that.

Mr Corey: If NIPSA must make further representations in order to get the legislation amended, it will try to do so. It would have been better had the parliamentary draftsman agreed with NIPSA's written representations, which were based on senior counsel advice. However, that was not achieved. The Committee has a copy of the response that NIPSA received from the Department, which more or less says —

Mr McNarry: Have you met officials from the Department about it?

Mr Corey: We have not met the parliamentary draftsman directly. However, NIPSA is open to having a discussion with the draftsman, or his staff, to see whether we can resolve our differences on those points.

Mr McNarry: That would have been helpful.

Mr Brolly: We could meet the parliamentary draftsman to talk about that.

Mr McNarry: The parliamentary draftsman will have to talk to the Committee. There is no point in the Committee acting as a mediator.

Mr Brolly: I am intrigued by the notion that someone might not want their pension transferred.

Mr Corey: I am not an expert on pension law, but any employee can now tell their employer that they do not wish to participate in their pension scheme. It would be foolish to do that, but that is one of the legacies of Thatcher's laws on public-sector pensions.

The Chairperson: I thank John Corey, Alison Millar and Mary McVeigh for their attendance and for giving us plenty to think about.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR THE ENVIRONMENT

Thursday 27 September 2007

TAXIS BILL (NIA 4/07)

Members present for all or part of the proceedings:

Mr Patsy McGlone (Chairperson)
Mr Cathal Boylan (Deputy Chairperson)
Mr Billy Armstrong
Mr Trevor Clarke
Mr David Ford
Mr Alex Maskey
Mr Ian McCrea
Mr Daithí McKay
Mr Peter Weir

Witnesses:

Ms Barbara Fleming Mr Michael Lorimer	}	Inclusive Mobility and Transport Advisory Committee
Mr Richard Daniels Mr Andrew Overton	}	London Taxis International
Mr Sean Smyth	}	T&G Section of Unite
Mr James Beckett Mr James Matier	}	Transport and General Workers' Union
Mr Anthony McCloskey	}	George Best Belfast City Airport Taxi Rank

The Chairperson (Mr McGlone): Ms Fleming and Mr Lorimer, you are very welcome. The Committee tries to keep these evidence sessions as informal as possible, and they focus on legislation. Witnesses are invited to take between 10 and 15 minutes to make their submissions. The Committee has your written submissions; if there are aspects of those that you want to emphasise particularly, or other issues that you want to raise, please feel free to do so.

Mr Michael Lorimer (Inclusive Mobility and Transport Advisory Committee): Thank you, Mr Chairperson. I will set out the position of the Inclusive Mobility and Transport Advisory Committee (IMTAC)

on the Taxis Bill, and Barbara Fleming will then speak on the experiences of disabled people who use taxis.

IMTAC is the main source of advice to Government — and others — on transport issues for disabled and older people. It is sponsored by the Department for Regional Development to perform that function. IMTAC works towards an inclusive transport system on the basis that disabled people should have access to the same goods and services as everyone else, which is current Government policy. There should be a move to change the transport system from one of segregation to one of inclusivity.

Taxis are a key service for disabled people. Before I go into detail, I wish to record that, for many years, taxis have provided a vital service for disabled people; taxi drivers provide a door-to-door service, and many drivers go the extra distance to help disabled people — for example, by carrying shopping into passengers' homes. Taxis are often available when other transport is not. Historically, because of the inaccessibility of public transport, taxis have often been the only available source of transport for some disabled people.

Despite that, disabled people have had extreme problems using taxis. I will highlight some of those as a background to IMTAC's position on the Taxis Bill. The number of taxis suitable for disabled people is low, including wheelchair-accessible taxis. There is a particular problem outside Belfast; however, the problem of access to those taxis in Belfast is huge.

There is a lack of availability of taxis at the times when disabled people want to travel. Many vehicles that are wheelchair accessible — again, particularly outside Belfast — are hired by Departments for home-to-school transport. Therefore, disabled people are restricted in the times that they can travel.

To illustrate this point, we had a meeting with one of the direct rule Ministers at Stormont Castle around a year and a half ago, and we had to be there at 4.00 pm. One of our members is disabled, and, because of school transport, the only time that a taxi could take him was around 12.00 noon. Therefore, he was at Stormont three hours before the meeting and had to hang around for an hour afterwards, and he had to pay £70 for the privilege. His journey was from Bangor to Stormont. Those are the type of issues that disabled people face.

We also have real concerns about vehicle standards. Again, London-style taxis are being used in Belfast, and standards are set for those vehicles, and they are safe. However, we have grave concerns about the safety of some of the vehicles outside Belfast that purport to be accessible vehicles. Many of them are van conversions, and we have grave concerns about whether the people being transported in them are safe.

Staff attitudes are a big issue for disabled people. That can permeate in a number of ways. A common problem is that disabled people are refused taxis. Once they say that they are wheelchair users or are disabled, the answer from the taxi firm is that it does not carry disabled people. There are also issues around language. Basically, disabled people are often treated with lack of dignity by taxi drivers.

Last week, I had a case in Dungannon in which a young girl being transported to school by taxi was verbally abused by the taxi driver. The disappointing aspect of that case was that when the parents complained to the Department of Education, they were told that unless the daughter could prove it, the Department would do nothing about the matter. Attitudes are a big issue for disabled people.

The final issue is the cost of services. There is a premium to be paid, particularly if you are a wheelchair user and need an accessible taxi, on many services in Belfast, and there is clear evidence of extreme discrimination as regards charging.

A man from Derry spoke to me yesterday about his mother, who was dying of cancer. In the last weeks of her life, she had to use a wheelchair and needed to travel a quarter of a mile. She had to use an accessible taxi and was charged £70 for the privilege of doing so. There is a lot of anger among disabled people about charges for wheelchair-accessible vehicles.

IMTAC broadly supports the Taxis Bill. The Department has sought to consult with the taxi trade, taxi users and stakeholders. In particular, it has sought to be proactive in gauging the views of disabled people and older people. IMTAC facilitated several public meetings in Derry and Belfast, and there were focus group meetings comprising disabled people in places such as Dungannon. The Department got real first-hand accounts from disabled people about the issues that they faced when using taxis. There were people attending who were blind, had learning disabilities, were deaf, were wheelchair users and those who had other impairments.

The Department has clearly listened to the views of users as well as those in the trade and has come up with a balanced approach on the requirements of taxi users and operators. I would like to stress that the solution is for all of Northern Ireland. It is not a solution for the centre of Belfast, where much of the focus on these issues tends to be.

There is much debate about the tiered systems. There is a good deal of merit in having a one-tier system, the reason being that the only place where the current two-tier system makes a difference is in Belfast, where there are public- and private-hire vehicles.

The public-hire system does not work for disabled people. It may be that there are 450 accessible taxis available from ranks, but the message that we hear from disabled people is that they cannot access those services. The public-hire sector has not done enough to engage and promote its services to disabled people. Why is there no contact or dispatch service so that disabled people can phone to access those vehicles? We also have anecdotal evidence of disabled people trying to access taxis at ranks, only to be told that those vehicles do not accommodate wheelchairs.

There are difficult issues around the availability of the public-hire fleet in Belfast. I know of very few disabled people who use public-hire taxis in Belfast. Those who do use taxis do so on a private-hire basis. Predominantly, the wheelchair users to whom I have spoken use the main private-hire operators in Belfast: Value Cabs, fonaCAB, and so on.

There are difficulties with the current two-tier system for disabled people in Belfast. Outside Belfast, the one-tier system is the only one that addresses accessibility issues. In a two-tier system, public-hire taxis will migrate into the private-hire sector, and accessibility issues would not be addressed. The one-tier system is crucial to increasing the number of taxis that are accessible to disabled people. There is no point in having 450 accessible taxis if they are not available to disabled people.

We support operator licensing, and we particularly support the link between operator licensing and accessible vehicles. Accessibility of vehicles should be tied to operator licensing. We support the link between accessibility and the provision of taxis at ranks. We stress that that should apply to all ranks.

One big issue that was identified early in the review process is taxi provision at Belfast International Airport, the main point of entry for visitors to this country. There are very few accessible vehicles there, and that sends out a message to visitors that we do not take seriously the requirements of disabled visitors. We understand that that is not part of the contract, but contracts can stipulate levels of accessibility, and they should. Obviously, other taxi ranks should also connect to the transport system.

We support the measures relating to fares, particularly the provision for a maximum fare. That will not end discriminatory charging, but it will end the extreme discrimination encountered by some disabled people. Some have been charged as much as £70 for a quarter-of-a-mile journey. A maximum fare will end that type of discrimination. We support the use of taximeters; a clear display of fares will give all passengers greater confidence in the use of taxis.

We support proposals to give the Department powers to prescribe driver training. That is important.

Unless we challenge the attitudes of some drivers, disabled people will not be able to access taxis. Better training of drivers and driver development will bring benefits to the taxi system in general, and that should be available to drivers with disabilities. We do not want to discriminate against drivers with, for example, learning disabilities.

We want vehicle standards to be addressed; people need vehicles that are safe. The Department should establish vehicle accessibility standards throughout Northern Ireland. We are assured that the Bill includes the powers for the Department to do that. As it stands, the Taxis Bill will improve standards for all consumers, particularly for consumers with disabilities.

Other transport services, both large and small, have had to become accessible because of legislation and Government policy, as have service providers such as hairdressers and café proprietors. The Disability Discrimination Act 1995 has affected all such businesses. We have seen massive changes to public transport. Taxis have been left behind somewhat, and that must be addressed. It is essential that the powers in the Taxis Bill that change how taxis are regulated are not watered down any further.

I will hand over to Barbara Fleming, who has been an IMTAC member for eight years and has been a taxi user for a long time. She is connected to nearly every disability group in Belfast, so she has talked to many people about their experiences of using taxis.

Ms Barbara Fleming (Inclusive Mobility and Transport Advisory Committee): I will switch myself off the loop because I cannot stand my own voice. *[Laughter.]* As Michael said, I am not speaking just on behalf of myself; I have talked to many disabled people across the board. For example, I am heavily involved in 18 organisations; I am the principal chairperson of the board of Open Arts, which serves more than 300 disabled people; and I am the secretary of the Northern Ireland Neurological Charities Alliance (NINCA), which is an alliance of all the charities that support people with neurological conditions. Despite being a qualified interpreter, I am hard of hearing, so I serve on a rota basis as chairperson of the regional division of the British Deaf Association.

I am representing disabled people with every conceivable impairment, including the deaf sign-language-using community. Everyone to whom I have spoken has had the same experiences as I have had, so when I speak for myself, I am speaking for them as well; not just wheelchair users but people with mental-health issues, visual impairments or people like me who have multiple impairments. I cannot tell you how excited we are about the Taxis Bill, because it is a giant leap forward in resolving many of the issues that Michael has addressed. It is especially exciting

for disabled people in rural areas, where it is next to impossible to get a taxi. The lack of taxis means that we have to go with what is available, which has led to exploitation and attitudinal difficulties that disabled people have experienced.

For example, I represented a friend whose husband was the first deaf chairperson of the bowling club on the Malone Road. I know how much taxis cost; it amounts to a fare and a half, and there is also a minimum charge. I had worked out that the taxi from my home would cost me about £15 either way. I was charged £35 one way, and so had no money to get home. I could not tell my friend, because I was there to support her and did not want to upset her. I cannot explain to you what that did to me physically as well, because of my heart condition. I had to get through that night without knowing how I was going to get home.

I have had taxi drivers shout at me and swear at me. I have had to sit cramped; I have been shoved into a taxi that I was told was accessible and have had to sit doubled-over because I am too tall. My chair reclines backwards and has to be put into that position, forcing me to bend over in agony. I have been charged extortionate rates for those privileges.

Why do I not complain about that treatment or report it? The answer is simply because the firm would refuse to take me; therefore, I am not in a position to complain. A colleague and I were asked to talk about this on the radio, but we could not — if we did, we would no longer have a taxi service to use. There is only one main taxi service in Belfast that I can use. There have been only two journeys in the past 11 years during which I have not been exploited. As a wheelchair user, one really depends on the taxi drivers. When the taxi driver that I mentioned earlier charged me £35, I told him that that was not what the meter said, and he simply cleared the meter. He was a big man, and, as a woman, what could I have done? I did not want to make a big scene and alert people to the situation, because I was there as a support and I did not want to worry or stress anyone.

On Monday evening, a friend of mine booked a taxi to travel to an Open Arts event. She explained to the driver that she was travelling with another wheelchair user with whom she lived. However, she could not get into the taxi because it was too high. She was a wheelchair user, but she could transfer from the wheelchair into the car, so the taxi driver just thought she was being awkward. When she transferred to the backseat, the driver shouted at her. He folded up her chair and just set it down without securing it, meaning that the chair fell on top of her and injured her knee.

On a few occasions, I have tried to get a taxi at a rank. I have been ignored, but, thankfully, on two

occasions, I was recognised by a taxi driver from a firm that had transported me a couple of times, and he said that he would take me. I had to wait until his taxi came down the queue at the rank, and then I knew that I was going to get home.

Like Michael, other people have told me that they have been refused by a taxi driver. The drivers have said that they are sorry, but they do not transport disabled people. Sometimes drivers have said that their taxis are not accessible when it is very obvious that they are accessible. In some ways, taxi drivers are a bit fearful, or perhaps they do not know how to work the ramps. Again, the Bill is a giant step forward because it means that training will be provided that will tackle that fear. Equality training is not like disability-awareness training: it does exactly what it says. It enables people to see disabled people as they are: members of the public and a very important part of society. We are contributors. If we do nothing else, we supply a vast amount of employment; if disabled people are taken out of society, it will collapse, and a lot of people would be unemployed.

As members of the public, we have the right to travel as other people do. Not only that, our money is worth the same as anyone else's. If a driver makes a taxi wheelchair accessible, wheelchairs users will get in it and will pay. Setting a maximum rate will not mean that taxi drivers will be poverty-stricken. They will have more clients, especially when the one-tier system comes into effect and there are more accessible taxis. There are many disabled people in rural areas who cannot access any form of transport whatsoever; they are just waiting to use this service. Therefore, it will pay in the long run. If the system is established correctly, the cost of setting it up will be recouped in fares that drivers receive from the increased number of clients using the service. It will go a long way.

For disabled people who are totally dependent on others, getting out and about will have a knock-on effect in many areas. The Bill will cut down on abuse and the exploitation of them as people. It will open up opportunities for friendships, employment, and so much more than I have time to talk about today. You have no idea about the knock-on effect that the proposed legislation will have on the disabled community and the deaf community in Northern Ireland.

I have deaf friends who have been charged a ridiculous amount of money for taxi journeys. They do not have a mobility impairment, but because they are deaf, speak with a monotone voice and are difficult to make out, they are classed as having a learning difficulty. Consequently, they are charged an extortionate amount for their taxi journeys. Unfortunately, they are afraid to complain.

People with learning difficulties and mental-health difficulties have been exploited. I feel that the Bill will resolve many of those problems. It will supply more taxis, so it will even out the ground a bit more by providing more competition. The training will enable taxi drivers to interact with disabled people and other members of the public, including older people. Overall, I think it is a very positive step.

The Chairperson: Thank you for that, Barbara. I am sure that, like other Committee members, I am shocked to hear, at first hand, people's experience of that type of exploitation, unacceptable practice and behaviour. It provides a human focus on why we should be here today and dealing with the Taxis Bill. Thank you for your evidence.

Mr Weir: First, thank you for your presentation. If we hear no other evidence, the evidence that you have given today shows, at least, the need for some degree of reform of the current system to ensure that disabled people are put on a level playing field with everyone else. You highlighted, principally from your own experiences, a number of problems that wheelchair users, in particular, have with the current system and the level of exploitation that they suffer. You touched on the deaf community as well. Do you have any other information, from your own experience, of the levels or types of discrimination or exploitation that any other disabled groups are suffering?

As you have said, wheelchair users are vulnerable to exploitation. Similarly, a deaf person's voice may make them vulnerable to exploitation. Could you give us any information on the impact on any of the other disabled groups?

Ms Fleming: Certainly. I have a few colleagues and friends who have a visual impairment and who have guide dogs. There have been occasions when a taxi driver has said that he could not carry a guide dog in his taxi. Although the new policy has helped in some ways, there was an incident, a couple of weeks ago, when a taxi driver said that he could not carry a guide dog in his taxi because he was allergic to dogs.

A married couple, who each have a dog, because the man works and the woman is a housewife, had to give up one of their dogs. The taxi could have carried two dogs but the driver, nevertheless, refused to carry both. That left one person at a disadvantage. In that case, the woman gave up her dog because her husband needed to travel by taxi. That left the woman at a disadvantage because she did not know how she was going to get into the building at the end of the journey. Thankfully, it was arranged by mobile phone that someone would wait for her at the other end.

Mr Lorimer: Blind people who do not use guide dogs have also expressed concerns about drivers who treat blind people as stupid and take them on the scenic

route, thereby building up a healthy fare. That is a fairly common experience for blind people. People with mobility impairments who are not wheelchair users have problems accessing saloon taxis.

Earlier, we talked about vehicle accessibility: the focus tends to be on wheelchair users but we must look at the standards of vehicle accessibility for a broad range of people, including those with walking difficulties. For instance, fitting a swivel seat in a saloon vehicle can make it much more accessible to people with a walking difficulty. There are taxi accessibility issues for disabled people apart from wheelchair users.

Mr A Maskey: Thank you for your illuminating presentations. In your written presentation, you said that you had held meetings with taxi drivers' representatives and others in the trade at which you addressed areas of common concern, such as enforcement and accessible vehicle standards. Was there clear dissent between you and the taxi operators on any issue? Was there anything that you did not agree on that may or may not be covered by the Taxis Bill?

Mr Lorimer: The vehicle standards favoured by taxi operators and those favoured by disabled people differ. Ideally, we want a standard of vehicle that everyone can access. However, that aspiration may not be achievable, as we must be realistic about the nature of the industry and the costs of developing such a vehicle.

There are issues about Belfast public-hire taxis, and there has been a great deal of publicity about the Bill affecting taxi accessibility for disabled people. We said in strong terms that that will not be the case, because, at present, disabled people cannot access many Belfast public-hire vehicles. It is a bone of contention for us that some representatives of the public-hire sector say that they are the defenders of disabled people.

We also want a higher percentage of fleets to be of a disabled-access standard, whereas the taxi industry probably wants a lower percentage; but that is life. We will have to compromise on that as much as the taxi trade in the outcome of the Bill.

There are differences, but there is common ground as well. We share Belfast public-hire representatives' concerns about enforcement and vehicle standards, and we would like to see those issues addressed.

Mr Ford: Thank you both for your presentations. Your written submission highlights several issues that will come up only in secondary legislation, such as the percentage of fleets that should be disabled-accessible. You both talked about the attitude of taxi drivers and training. Should training be compulsory for all drivers or solely for new drivers?

Mr Lorimer: We would prefer that all drivers go through some kind of disability equality training, but

some already have. In the past, as the disabled persons' Transport Advisory Committee, we were connected with Disability Action and we trained taxi drivers, so there are 300 to 400 drivers who have done that training. There must be flexibility in recognising that some drivers have already undertaken training, but, ideally, we would like all drivers to go through periodic refresher training, because issues change.

Mr Boylan: Thank you both for your presentations. Over the past weeks, the Committee has heard from taxi drivers, so it is good to hear the customers' perspective, and that is all part of social inclusion.

You mentioned a one-tier system in rural areas. Is accessibility even more difficult there?

Ms Fleming: Very much so.

Mr Boylan: Can you clarify the issues?

Mr Lorimer: There are fewer accessible vehicles outside Belfast. Saloon taxis are predominantly used in rural areas. Since there are no standards for those vehicles, many vehicles in rural areas are van conversions that have been done by local firms, and that presents serious safety concerns. Taxi firms in rural areas tend to do a lot of work for Government agencies, such as ferrying patients to medical appointments and providing home-to-school transport, so their vehicles are not readily available to disabled people in any case.

Therefore, they are not available to disabled people anyway. Furthermore, because there are so few of them, companies can charge whatever the heck they want for the use of those vehicles by disabled people. The low number of accessible vehicles is a huge problem in rural areas. Imtac has received a lot of feedback about the absence of any other form of transport in rural areas from older people and disabled people who rely on taxis.

Mr Boylan: It is hoped that the Bill will deal with that problem.

The Chairperson: Thank you very much for giving your time to attend the meeting. It is an important matter, and you have made compelling arguments. I am sure that you have gathered that from the members' comments.

Mr Sean Smyth (T&G Section of Unite): I am Sean Smyth of the T&G section of Unite. There appears to be an administrative error on the agenda. Representatives from London Taxis International (LTI Vehicles), which manufactures London-type taxis, are present. LTI and I would like to address the Committee as one group. Afterwards, Mr Beckett and Mr Matier, as the T&G, will address the Committee.

The Chairperson: That is permissible if you can compact your presentation into ten or fifteen minutes.

Provision has been made for several people to speak. Others must be included in the schedule.

Mr Smyth: We are on the agenda twice.

The Chairperson: I have not seen the notification to which you refer.

Mr Smyth: I refer to today's agenda, on which we appear twice. We are referred to first as Unite and then as the Transport and General Workers' Union (TGWU). If Mr Chairman agrees, I will speak first on behalf of LTI. Afterwards, my colleagues will address the Committee.

The Chairperson: Mr Smyth, can you clarify that you are with the union, Unite, and your colleagues are with the TGWU?

Mr Smyth: TGWU and Unite are now one union. TGWU merged with Amicus, which is now the T&G section of Unite.

The Chairperson: I see — sorry about that.

The Committee Clerk: The confusion has arisen because the Committee received two submissions, rather than just one.

Mr Smyth: That is quite possible. I am aware that the Committee is under time constraints. Therefore, rather than drag out the matter, LTI Vehicles and I shall address the Committee for fifteen minutes.

The Chairperson: Can you clarify for the Committee who LTI Vehicles is?

Mr Smyth: LTI Vehicles manufactures the London-type taxis that are well known throughout the world. Its representatives are present to voice the concerns of its customers.

The Chairperson: The Committee has not received a submission from LTI Vehicles.

Mr Smyth: We have put forward a joint submission.

The Chairperson: The Committee has not received a submission from LTI Vehicles for today's meeting. Today's agenda includes Unite and the TGWU.

Mr Smyth: As part of my presentation, may I call LTI Vehicles to give a detailed response on —

The Chairperson: The Committee's agenda is to discuss the submission that it has received and all members have read. The Committee has received a submission from TGWU, which is also on the agenda. Clearly, any submission that may have been made by LTI Vehicles is not on the agenda. That may be for another occasion.

Mr Boylan: Is the submission from LTI Vehicles incorporated in Unite's submission?

The Chairperson: No.

Mr James Beckett (Transport and General Workers' Union): Mr Chairman, perhaps I could clear up the matter.

The Chairperson: Perhaps you could indicate who you are.

Mr Beckett: I am James Beckett of T&G. I was asked by Mr Overton, who is very busy, to make his presentation for him.

The Chairperson: Just for clarification, because there may be people here who have travelled a considerable distance, and we have little time, are you saying that the other company should make part of its submission in your allotted 15 minutes?

Mr Smyth: Yes. I imagine that we will take no more than five to seven minutes each. Then we will take questions.

The Chairperson: I will limit you to 15 minutes. Bear in mind that the Committee has your submissions, so if you want to curtail your presentation, that is up to you. We have the submissions in front of us, although you might want to emphasise aspects of them to the Committee. If the representatives of LTI Vehicles wish to speak, they will have five minutes each. I understand that they have come all the way from London.

Mr Smyth: I thank the Committee for the opportunity to speak on this emotive subject. As we heard during the previous submissions, there is a great deal wrong with the taxi industry. I am a regional industrial organiser with Unite, with responsibilities for transport that include representing 2,000 bus drivers in Translink. For the past 12 months or more, I have been trying to organise public-hire taxi drivers in Belfast.

Unite believes in striving for a fully inclusive public-transport service for the whole of Northern Ireland, not just Belfast. After consulting its members in the taxi industry — Unite represents some 30% of the public-hire taxi drivers in Belfast — it put forward nine proposals for a root-and-branch reform of the industry. The industry must be pruned hard and re-grown to develop the affordable, safe, accessible taxi service that everyone wants for the whole of Northern Ireland.

Unite entirely supports the Department's endeavours to rectify the taxi industry. I am a taxi user, and I too have been ripped off. We want to stop people being charged £40 to travel to Bangor at a certain time of night, for example. However, it will not be easy to change that without changing the very foundations of the industry, as I intend to show the Committee.

It is difficult to argue against the balanced and reasonable expectations of taxi users who want a higher-quality taxi service that has the flexibility to adopt new ways of thinking and working in order to

provide that service. However, those ideas must be balanced against economic realities and must allow those who work in the industry to make a reasonable return on their considerable investment.

Although Unite agrees with most of the points raised, it has serious concerns about certain issues. There are approximately 450 public-hire taxi drivers in Belfast who enjoy a two-tier system. As the Committee will have learned, another two-tier system operates outside Belfast between town and country taxi services. In the country, there are private operators, and the Committee will know about Belfast's two-tier system.

Most of our disabled-accessible vehicles are of the London Taxi type. The newer models can cost more than £30,000, which is a large investment for the taxi driver. If the system were changed, as proposed, it would be to the detriment of public-hire taxi drivers. I will explain that as I go on. It would lower the number of accessible taxis in Belfast. Rather than reduce, we want to expand the number of accessible taxis outside Belfast and throughout Northern Ireland. Unite believes that its proposals will do that.

We oppose the delimitation of public taxis. My union also represents 4,000 cabbies in London, Manchester, Liverpool, Glasgow, Edinburgh and Southampton; it has vast experience of organising public-hire taxis in those areas. We must keep the specialised conditions under which public-hire taxis operate. That is the only way of making the industry viable. We propose that the number of public-hire taxis operating, not only in Belfast but in the whole of Northern Ireland, should come under the constraints and control of the Department of the Environment. The Department should allocate plates for public-hire taxis according to need. The number of taxis would be increased so that the availability of taxis would grow in accordance with the expansion of a town or city.

There are major problems with accessibility. If I were to buy a new taxi tomorrow morning, I would have to wait two to four weeks to get it tested. I would then have to wait a further four to six weeks to get the plate issued: the vehicle cannot operate without a plate. We propose that the driver be given a plate on the day that he receives his licence and that that plate would go on any vehicle that the driver bought. On the day that the driver retired from the service, his plate would not be sold but returned to the Department. Therefore, if I were to upgrade my vehicle after three years, I could transfer my plate immediately after the vehicle had passed its test. At present, a driver can spend £30,000 on a vehicle and then be unable to work for four weeks. That is expensive for a driver and cannot be maintained. Changes in the plating system would alleviate the lack of vehicles on the roads.

We support the proposals requiring all taxis to have taximeters. However, rather than setting a maximum fare for all taxis, it would be better to have a uniform, single rate that would vary at different times of day. Getting people home from nightclubs at the peak times between midnight and 4.00 am on Friday and Saturday nights is a major problem. We suggest that fares be adjusted to cope with that.

If the two-tier system is kept in Belfast, the city should have a limit. If a driver was required to operate outside that limit, a penalty fare would be incurred, of which the passengers would be aware. All fares would be set in conjunction with the Department of the Environment, the Consumer Council and non-governmental organisations, such as ourselves. That way, the customer would know exactly what had been charged and why they had been charged. People would know that the fare from Belfast city centre to Bangor town centre, for example, was £20. They would not be charged £40 because the fare would be in black and white. That would reduce the activities of rip-off merchants and eventually stop them. More easily identifiable plates would enable the culprits to be more easily identified. I will return to the issue of plates later, but I will press on as I know that the Committee is pushed for time.

The Unite proposal would ensure that Belfast and Northern Ireland would have a first-class public-hire taxi service that would be fully integrated with all other forms of public transport. From arrival to departure, people would have access to reasonably priced, accessible public transport. Achieving that would be a first for any city in the European Union; we would be setting standards instead of playing catch-up. Restrictions on the number of licence plates would enable drivers to work an average working week, instead of having to work excessive hours.

Drivers in Belfast work in circuits on a radio system. Drivers pay between £100 and £110 a week to rent their radio systems. If they go on holiday or are on sick leave, they must continue to pay the operator or they will lose their radios. Unfortunately, some people coming into the taxi industry do not have the finances to buy a cab, so some operators rent cabs to them. Therefore, those drivers must pay for cab rental, radio rental and diesel, and they must make more than £350 a week before they can earn a shilling.

Many drivers work more than 90 hours a week to earn a living, and the Bill does not address that. It is dangerous to work such hours, and drivers have caused crashes by falling asleep at the wheel, but those crashes have been put down to accidents. The Bill does not address that. In fact, we are concerned that the introduction of the Bill will worsen the situation.

All public-hire taxis must have disability access, and all drivers must be trained to deal with disabled people. I have not met any drivers who are trained to assist blind people. Fortunately, when I was a bus driver, I was trained to work with disabled people through the minibus driver awareness scheme (MiDAS). I strongly recommend that training, because it gives participants a whole new focus on how to work and live with disadvantaged people, from those with slight disabilities to those who are more severely disabled. The MiDAS system must be introduced for all taxi drivers in Northern Ireland who want to operate a public-hire taxi service. All fares should be set via negotiations involving the Department of the Environment and the Consumer Council, so that there is third-party involvement, and the PSNI should have full enforcement rights on taxi legislation.

We have heard stories today about getting access to a taxi. If people are shopping in the centre of Belfast, in CastleCourt, they cannot get access to a public-hire taxi unless they walk for half a mile in either direction. We do not have access to shopping areas, ports, airports or train stations. It is difficult for a disabled person to get a public-hire taxi. We also do not have access to hospitals. If a disabled person phones for a taxi to collect them from a hospital appointment, a saloon car arrives, they are pushed from the rear into the back seat of the car, and their wheelchair is put in the boot. I have witnessed that. Public-hire taxis must have disability access. Give us the tools to do that job, and I will guarantee that our taxi charter will deliver for Northern Ireland.

Mr Andrew Overton (London Taxis

International): London Taxis International (LTI Vehicles) supplies the majority of purpose-built taxis in Northern Ireland. I have been in the business all my life and have been coming to Belfast for 20-odd years, and we are passionate about the taxi trade that operates in this city. We support the intentions of the Taxis Bill and the fact that it addresses matters such as professionalising the taxi trade. Many good intentions are represented in the Bill. We support training for taxi drivers, and we will help to provide that, as we manufacture accessible taxis. There is a need for better standards for taxis, and the standard of conversions that was mentioned by Michael Lorimer is an issue that must be addressed. New accessible taxis should be introduced outside Belfast.

My comments relate to Belfast city. Officials from the Department of the Environment have said that their public consultations have shown that a one-tier system is the way forward. We have considered that conclusion and the Department of the Environment's documents, and we find that there serious concerns in Newry, Cookstown, Enniskillen and Armagh about the impact of the Bill. Certainly, the taxi trade in Belfast

is concerned about the impact of the Bill. There is an impression that there will be no financial impact on the taxi trade. However, there are 450 purpose-built vehicles operating as public-hire taxis and 2,000 private-hire taxis, and, if those 2,000 private-hire taxis can suddenly pick up in the street, that will have a dramatic impact on the drivers' incomes. I am sure that drivers have informed the Committee of that. It is similar to one shop opening up in a street and, suddenly, four other shops open up in the same street selling exactly the same thing. That will have an effect.

Our concern is that the number of accessible cabs will decrease. I accept as valid the point that IMTAC made earlier that people need to be able to contact accessible taxis. The public-hire taxi drivers to whom we have been talking accept that they may have to use a radio. However, were their income to drop substantially, they would return to driving saloon cars, so the overall number of accessible cabs would fall. That is contrary to what is happening in the rest of the UK. My role in LTI Vehicles is to liaise with local authorities across the country on implementing accessible taxi policies. Public-hire taxi companies everywhere else in the UK are increasing their number of accessible taxis, not reducing it.

The Bill may be a charter for the private-hire industry. That industry will view the Bill as being wonderful, because those who drive saloon cars must sign up to a radio circuit. One private-hire operator told me that private-hire drivers want to make life as difficult as possible for black-cab drivers, and, for that reason, he supports the Bill.

The legislation will have a serious effect on the trade's livelihood and on the number of accessible cabs in Belfast, which will go down, not up. I am not saying that private-hire operators will not rub their hands and put on more taxis, but that is not the issue. The issue is that people are trying to earn a living. LTI Vehicles pleads with the Committee to take that point seriously.

My colleague Richard Daniels will propose a couple of amendments to the Bill. Those amendments would enable the Department to preserve the current system, because we do not believe that the rank-only pick-up point will work. There are only 31 permanent rank spaces in Belfast city, and taxi drivers will be unable to earn a living solely from working on those ranks. It will also be very difficult to police the exclusion zone that the Bill provides for, and we do not think that that proposed system will work properly. My request is that the Committee take that point seriously.

Mr Richard Daniels (London Taxis

International): We are essentially looking at the regulatory framework that will be adopted. Andrew's point is that we must ensure that regulation is

proportionate. To that end, I wish to propose two amendments, both of which apply to clause 20.

My first amendment would secure the provision of disabled-accessible vehicles that can be held on the street. If accepted, clause 20 would include:

“The Department may make regulations to apply to taxis of a specific class or to taxis of a particular class of use to operate within a designated geographic area in standing or plying for hire or reward or to carry passengers for hire or reward.”

The second amendment would secure the provision of non-accessible taxis that can operate a pre-booking service. As a result, those vehicles would remain accessible. The proposed amendment reads:

“The Department may make regulations to taxis of a specific class or to taxis of a particular class of use to operate within a designated geographic area as vehicles which are used (a) solely in connection with a hiring for the purpose of carrying one or more passengers; or (b) are immediately available to an operator to carry out pre-booked work.”

Those definitions are taken from the Private Hire Vehicles (London) Act 1998. Those amendments would secure the provision of an accessible taxi service, which should be a right in a city such as Belfast, as it is in Glasgow, Edinburgh, Manchester, London or Liverpool. It is important to state that. The comments that the IMTAC representatives made earlier are also valid.

Mr Weir: I appreciate that the Committee will have a record of the proposed amendments, because members will want to absorb their content and return to them at a later date.

You have concerns about Belfast’s moving from a two-tier system to a one-tier system. Why do you think that Belfast should be different to anywhere else in Northern Ireland?

Mr Smyth: Belfast is the only place in Northern Ireland in which public-hire taxis as we know them operate.

Mr Weir: That is a circular argument.

Mr Smyth: We are proposing that the whole of Northern Ireland has access to accessible taxis, but, unfortunately, we are dealing with Belfast now.

Mr Overton: The issue is pertinent to Belfast; it is not an issue outside Belfast. All taxis outside Belfast are, for the most part, public-hire taxis. There is a two-tier system in Belfast, so there is an economic balance between the taxis that ply for hire at taxi ranks and on the street and those that are not allowed to do so. If the rules for Belfast are changed, and five times as many vehicles are permitted to pick up fares along the street, the taxi operators’ business model will be undermined completely.

Mr Weir: Regardless of the system, should there not be a level playing field across Northern Ireland?

Mr Overton used a good analogy: someone sells a product in a shop and other shops open on the same street and sell the same product. I understand that markets change suddenly, but that is how business operates. Are you suggesting that shops on a street should be banned from selling fruit and vegetables merely because another shop is already doing so?

Mr Smyth: I am a self-employed taxi driver and I operate a public-hire taxi. I want to be self-employed. However, under the new legislation, I will be forced into a circuit, and I do not want to work for one. I do not want to have to give backhanders to radio operators to ensure that I will get my fair share of work; nor do I want to have to pay depot rent when I am sick or on holidays. I want to be self-employed. Why am I being forced to join a circuit?

Mr Weir: I understand why someone who is working in public-hire taxis, particularly in Belfast, will have concerns about the legislation and, perhaps, be opposed to it. However, I am still not convinced that Belfast should be treated differently to the rest of Northern Ireland.

Mr Smyth: Competition is good, but this legislation will mean that our drivers will not be permitted to pick up fares at locations such as the George Best Belfast City Airport or Belfast International Airport. However, taxi drivers operating at the airports will be able to come to Belfast and work the ranks.

Mr Weir: There should be equality for all taxi drivers, but we will hear from the airport taxi drivers later, and the issue will be dealt with then.

Mr Daniels: In urban areas, disabled people have the right to hail a taxi and get a taxi from a rank. After a while, because these proposals will unbalance the economic model, they will have to phone for taxis. In rural areas, there is no justification for having all vehicles as disabled-accessible vehicles. However, in urban areas it is justified, because disabled people should have the right to hail taxis on the street or at a rank. That is what happens in many other cities.

Mr Weir: Belfast is much smaller than many of the cities that you have used in your examples. Glasgow and Edinburgh would be closer in size to Belfast whereas London would be larger.

Mr Daniels: London is bigger, and I would not draw on that analogy too strongly.

The Chairperson: We have spent enough time on that question.

Mr T Clarke: It was feared that people would go for the cheaper taxi if the one-tier system were introduced. You are from London: why not make your taxis cheaper so that everyone can buy them — that is, if you are really concerned about disabled people in Northern Ireland?

Mr Overton: Let me give you a simple answer. If we were selling saloon cars that were non-accessible, we could make them cheaper. Today we have heard about the standard of accessible taxis, and IMTAC has said that it wants good-quality, safe vehicles for use by disabled people. Michael Lorimer praised London-style taxis, and we have spent much time and effort developing a purpose-built taxi that is safe for the passenger and the driver and that is accessible for wheelchair users and non-wheelchair users. It costs more to build such a vehicle.

Mr T Clarke: Perhaps we let Mr Lorimer off with his comments about some taxis being converted vans. Vehicles in Northern Ireland go through a more rigorous test than those on the mainland, and converted vans have been inspected by DOE vehicle-testing centres and approved for the purpose for which they were built. We let Mr Lorimer off with his comments about van conversions, because those vans have to be brought up to a standard.

Mr Overton: Even the DOE officials have said that they want to address accessibility and safety standards for vehicles. They have said that the Bill will enable them to address those issues. The argument was about whether we have saloons or whether we have accessible cabs at all.

Mr T Clarke: Some vehicles may need to be improved. If the Government have set a standard for van conversions, and if those vans pass the test, it is unfair to say that they are not up to standard. However, if the Government now believe that their standard could be tightened to make the test more rigorous, that would be welcome. It is unfair on the owners of such vehicles for the Government to assume that they are not up to standard.

Mr Daniels: To be fair, there are different standards. There is European Community whole-vehicle-type approval, which we and companies such as Peugeot 07 and Allied Vehicle Contracts have, and there are lower standards within the EU framework, so there is a separation. Some of the vehicles mentioned come under low-volume small-series-type approval, which is a lesser standard.

Mr Overton: I do not want to lose the focus. If a saloon car can pick up a fare off the street, why would a taxi driver have a purpose-built vehicle? He would not. If he can pick up off the street — and there are only 31 rank spaces — the 400 accessible cabs would diminish. As the vehicles get older, drivers will replace them with saloon cars. I am not debating the quality of accessible taxis: they will not be accessible at all; drivers will go back to saloons. Therefore, the overall fleet of accessible cabs will decrease.

Mr Boylan: I will not get into the debate about rural and city taxis. It seems strange that you want to reduce

the numbers. You also referred to additions, tests and training levels. Are they referred to in the Bill? Can you elaborate on that?

Mr Overton: We would support taxi-driver training, as taxi drivers benefit from training in handling and dealing with disabled passengers. As the manufacturer of accessible taxis, we are happy to help authorities to set up training courses for drivers to learn how to use the facilities that we provide in our vehicles. We are aware that drivers do not always load wheelchair passengers into our vehicles in the best way, so we would be happy for taxi drivers to have training in that. I have spent years dealing with disabled people who complain about some of the issues that we have heard today, and we must move that issue forward.

Mr Smyth: Who would provide the training? Belfast Metropolitan College advertised for tutors, but it was unable to fill the position. The problem is that the training needed, which is part of the certificate of professional competence (CPC) training, has been extended to taxi drivers, and they must obtain seven hours' training a year. Bus drivers have to obtain 35 hours' training and, when that is complete, their licence will be renewed. Taxi drivers will have to train for 21 hours.

Will I, as a taxi driver, invest in my training this year, not knowing whether I will be in the taxi trade in three years' time, or will I wait — as I suspect most people will do — until year three when there will be a mad rush to get the training in order to get my licence renewed? The T&G Section of Unite has 12 registered tutors, fully competent in delivering the training programme, with the North West Regional College. The West Belfast Taxi Association is developing a training course for its drivers. However, that will add additional charges, and in the circuits they will pass those on to drivers, incurring more hours to pay more depot rent.

Mr Armstrong: My statement may be a bit unfair, but taxis are not very visible. On the subject of safety, ordinary saloon cars are more visible, better lit up and can be easily seen at dusk. However, the lighting system on black taxis is poor and does not come on automatically when it becomes dull during the day.

Mr Overton: I was referring to the safety of the people inside the vehicles —

Mr Armstrong: I know what you were referring to —

Mr Overton: I take your point. There is nothing to stop drivers from deciding to have a colour code. For instance, in Derby —

Mr Armstrong: I am not talking about colour codes; I am talking about lighting systems.

Mr Daniels: It is not something that we have come across with any regulatory authority that we have spoken to.

Mr Armstrong: I know that.

Mr Overton: I will be happy to consider any proposals that you have. It is not an issue that has been raised before, but I take your point.

Mr Smyth: On that point of safety, a number of years ago Dublin Bus instructed all its drivers to drive with their headlights on at all times — day, night, summer and winter. That reduced accidents by 50%. All public-hire vehicles should drive with their headlights on at all times. Personally, when I am driving my car — day or night — I always have the headlights on.

Mr Armstrong: I have noticed that black taxis do not have lights on when every other car does.

The Chairperson: I thank the witnesses for attending. We explored many issues, and I was quite generous with the time allocation. Needless to say, your comments will be considered by the Committee.

Mr Smyth: In closing: we want to work in partnership with the non-governmental organisations, the Government and elected representatives for the future of public transport in Northern Ireland.

The Chairperson: We have a submission from Mr James Beckett in his capacity as vice-chairman of the Transport and General Workers' Union (TGWU).

Mr James Matier (Transport and General Workers' Union): I am a committee member of the TGWU also.

The Chairperson: Are you giving the presentation?

Mr Matier: Yes.

The Chairperson: The submission that has been given to the Committee is very detailed. Your presentation should last no longer than 10 to 15 minutes. Members will then ask questions.

Mr Beckett: Chairman, we believe that the Taxis Bill is a personal baby for Adele Watters.

The Chairperson: Hold on a minute, James. Irrespective of the personalities involved in this, Adele Watters is a civil servant who is acting on behalf of the Department of the Environment. We are here to discuss the Department's Taxis Bill. Please focus on the context and the content of that Taxis Bill. Thank you.

Mr Beckett: No disrespect to Adele, sir.

The Chairperson: Sorry, sir. I do not want to emphasise the point again, and I will not say it again. We are here to focus on the Taxis Bill.

Mr Beckett: Right, OK. I will focus on that. Our main concern is public safety, the cost to the public

and accessibility to the public. Mr Boylan asked a question about the views of rural areas on the Taxis Bill. There was a public meeting in Newry, and the people there were critical of the Bill and rejected it —

The Chairperson: You have referred to an issue that Cathal raised earlier. We are here to discuss the Taxis Bill; we are not referring back to what was said earlier. After your presentation, Mr Boylan will have the opportunity to question you on aspects of that submission.

Mr Beckett: That was part of my presentation. Can I not present my evidence?

The Chairperson: Just to be clear, if you are referring to the issue of rural isolation, that is fair enough. Please address the issue of rural isolation and the difficulties with rural taxis. Mr Boylan asked a question; however, it does not refer to your submission. Please stick to the subject of your submission.

Mr Beckett: My submission deals with his question. I submitted the 10 findings that emerged from the public consultation meetings. There was opposition in nine of those meetings to the Taxis Bill. That is why I provided those statements.

We met the Minister of the Environment on 12 September, and she gave us assurances. We received an immediate response from the Department. On Tuesday night, I spoke to an official in the Department who told James Matier and me that the provisions in the Bill could not — and would not — be policed. That official told us that there was no way that the Department would police the provisions.

I wish to mention a past Member of the Assembly, the late David Ervine. He was greatly respected in the political world. He worked with us on the Taxis Bill for three years, and I have a copy of his response to it. He met us regularly, used our contributions and fought our corner. The closing words of his response are:

“The Department had the opportunity to make this taxi industry work for the benefit of the public and the driver. We believe they have failed miserably. This is mainly a money-making exercise.”

Mr Weir: With respect, I appreciate those sentiments; however, to take evidence from someone who has died is a difficult road for us to go down.

The Chairperson: I listened carefully to determine the relevance of that evidence to the Taxis Bill. Mr Beckett, I hear your point, but please confine yourself to the opinions of your organisation.

Mr Matier: I wish to explain the reason that the one-tier system will not work in Belfast and the reason that my income will drop by 75% if that mechanism is introduced and private-hire taxis are allowed to pick up on the street. There are not enough taxi ranks to enable us to earn back that 75%.

I know of four proposed taxi ranks, which we believe are to be approved in Stormont today. Of those, the proposed taxi rank in Donegall Street, near the John Hewitt bar, is out of the way and unsuitable for disabled people. Taxi ranks must be at shopping centres such as CastleCourt and the new Victoria Square development. We asked for 12 taxi ranks, but only four have been proposed. That will not enable us to regain that 75% drop in our incomes.

I wish to submit a proposal to the Committee that would benefit disabled people and the public in Belfast. I have submitted a map that highlights the existing taxi ranks as well as our proposed additional ranks, which we believe will bring the taxi industry into the twenty-first century.

On 12 September, Adele Watters admitted that we were 20 years behind —

The Chairperson: Please stick with your own submission.

Mr Matier: The taxi industry is behind, and it has always been classed as a terrorist threat. Drivers have asked for ranks within the city limits in places such as CastleCourt, but we have been told repeatedly that we are a terrorist threat. More than 10 years after the ceasefires, we should be growing with the city, but we have been unable to do so. It took more than two years to get those four taxi ranks.

They are a waste of time. There is a proposal for a taxi rank on the Lisburn Road at Hunter's bar. Do disabled people drink there? No. There is one proposed for Chichester Street, near the new shopping centre. The other two are proposed for the Dublin Road and Donegall Street — disabled people do not go there. Accessible taxis should have unlimited access in the city, and there should be taxi ranks throughout the whole city.

The two-tier system should be retained because if a one-tier system were implemented, I would lose 75% of my income, which will mean changing my vehicle to an ordinary saloon car. My taxi cost £32,000, whereas I can buy a saloon car for £10,000. Over a three-year period of payments, I would save £21,000 by changing my vehicle to a saloon car.

If the Taxis Bill passes, it will ruin accessible-taxi provision in Belfast. I have raised my misgivings about the taxi ranks, and I have an Equality Commission report on working with the taxi industry. To my knowledge, the Taxis Bill was never discussed with anyone in the black-taxi industry — yet they are the people who are concerned about it. Adele Watters and Disability Action should come and talk to us. The taxi branch of the Transport and General Workers Union (TGWU) opened 12 months ago. We tried to talk to people about the Taxis Bill before it got to this stage, but the doors were closed in our faces. The Taxis Bill

might increase the number of accessible taxis in rural areas, but it will not in Belfast — it will decrease them, and put me in financial difficulty.

Mr Weir: I appreciate your point about the lack of taxi ranks. That is something that the Department should be addressing through regulations rather than in the Bill; presumably, the Bill will not list where the new taxi ranks will be.

Mr Matier: Under the Bill, private-hire taxis will not be allowed to pick up a fare within a certain distance of taxi ranks. Pick-ups cannot be enforced now — how will that be enforced in future? Currently, the taxi rank at Belfast City Hall has 35 spaces; how are 400 of us supposed to fit into that? If disabled people say that there is a lack of accessible taxis, it is down to a lack of taxi ranks.

Mr Weir: Again, I will ask a question that has been posed to many bodies. Much of the debate will centre on whether there should be a one-tier or two-tier system. I appreciate that a one-tier system would have a detrimental impact financially on public-hire taxi drivers. The flip side of that is that the private-hire taxis would pick-up a lot more trade. Objectively, although I understand the impact on public-hire taxis, it would be a case of swings and roundabouts. Why do you think that Belfast — particularly the city centre — should be treated differently from anywhere else in respect of the regulation of taxis?

Mr Matier: That is because there is already a sizeable number of accessible taxis in Belfast. If the Taxis Bill is implemented, it will decrease the number of accessible taxis in Belfast. There needs to be an increase in accessible taxis in rural areas. If the Taxis Bill is implemented, with a one-tier system, my income will drop.

Mr Weir: Do you not think that the whole of Northern Ireland should be on a level playing field?

Mr Matier: No, because there is already a sizeable number of accessible taxis in Belfast.

Mr Beckett: The Department created the two-tier system, not us. When applying for a vehicle licence, a driver has a choice between public hire or private hire. It is the driver's choice whether he wants to work the streets or work from a depot. There is choice and competition.

Mr Matier: I understand what Barbara was saying; some of the things that I heard made me feel sick. I understand the training issue — I started the taxi branch of TGWU because I understand that training is necessary. I do not have disability training — I learnt how to put a wheelchair in a taxi myself. I understand that all fares should be shown on the meter.

If Belfast public-hire taxis have to leave the city limits, there should be a surcharge for returning;

however, taxi ranks and other matters are 20 years behind. I totally agree on the training. I disagree with people's being ripped off. That is why our proposals for the taxi industry go into the twenty-first century. If DOE and DRD give us taxi ranks, we will be able to provide a service for all disabled persons, no matter whether they are blind, wheelchair-users or whatever. We all know that, because of the Troubles, the industry, in every part of the city, is 20 years behind. The industry needs to grow; it needs to have the chance to grow. The two-tier system should stay in Belfast to give us, as the Belfast public-hire taxis branch of TGWU, a chance to grow with the city.

Mr Boylan: My question has been answered; however, I am concerned about the issue with Belfast and the surrounding area. Many rural taxis that service regular runs and weekly work are saloon cars. Those will all, therefore, have to become accessible taxis. For those drivers to argue that they have saloon cars, and a regular run during the week, with a bit of extra work at the weekend, is the same as your arguing the case to secure your business in your area. It should be fair.

The Committee has listened to submissions over past two weeks and, apart from the Consumer Council, we have heard mostly from taxi associations. We listened to a customer this morning, and when I heard —

Mr Matier: May I point out —

The Chairperson: Had you finished?

Mr Boylan: No. From the point of view of that passenger, I understand that people are trying to secure a one-tier fares system that applies to everyone, or, if not that, then a two-tier system.

My other concern was taxi ranks. Stakeholders have the opportunity to discuss the problems and to challenge some of the clauses in the Bill, and you say that there are not enough taxi ranks.

Mr Matier: There are not enough taxi ranks. There are 31 to 35 spaces in Belfast to hold 400 Belfast public-hire taxis. Every day, the NCP give out tickets for double parking. The eyesore opposite Belfast City Hall is not our fault; we are trying to ply for work. There are eight spaces there, and six at the side of the City Hall. Some days, probably 20 to 30 taxis sit there, trying to get into those spaces. The NCP warden comes around, leaves a ticket and goes. It is the same at the side of the City Hall: that space is for public transport, and we are not allowed in there. On occasions, the traffic wardens and the police are at the City Hall. They make us drive up Howard Street, past Jury's Hotel and back down again. We are Belfast public-hire taxis, but we are not looked upon as a public service.

If a disabled person in a wheelchair gets into my vehicle, I am not allowed to charge any more than the meter price, whereas other taxi companies in Belfast

charge a minimum of £8 or £10. I get out, put the wheelchair into the car, strap it up, get back into my vehicle and put on the meter. We do not rip people off. We charge whatever amount is on the meter.

Mr Ford: You made it clear in your written submission that a major concern is regulation, and Jimmy quoted a department official as saying, "We cannot police this Bill". I am well aware of your concerns at the moment, as well as the proposals. How do you see regulations alleviating those concerns? Clearly, elements of the Bill require regulations to ensure that taxi ranks are used appropriately, and so on. What is the appropriate body to do that? If it should be the Department, and if there are issues concerning resources, are you prepared to see an increase in the cost of licences to pay for that?

Mr Beckett: The Department did away with taxi-driving tests. I did a test, but many of the new drivers have not done a test. Six years ago, my licence fee was £26. It is now £75: it has increased by 200%. The cost of an MOT test for a taxi has increased twice in six months and is now £126.50. However, the MOT test for a car — which is, more or less, the same test as for a taxi — costs only £30. We do not know what the Department proposes to charge for the test but it has inserted a clause into the Bill enabling the fee to be paid in instalments, which suggests to me that it will be substantial.

Another major concern is the use of taximeters. A fare at 9.00 am might cost £8, and the same fare at 11.00 am might cost £3 because there is no traffic or waiting around at that time. When, at my depot, one company introduced taximeters, a fare of £3 rose to £4.50, and at peak periods became £5 or £6. As a result, the public took its custom elsewhere. The depot owner had to remove the taximeters and return to the set fare structure.

Taxis are regulated by the Department, and the Bill states that all taximeters will be required to be sealed by the Department. The Department has also said that it does not have the manpower to seal all the taximeters. If that is so, then how does it expect to be able to police the new proposals?

There is another major issue. When I was invited to attend today's meeting, I received the Committee's rule booklet explaining what I should do. However, taxi drivers have no rules to guide them: there is no code of conduct. For the past year, I have been asking for a book of rules and regulations for taxi drivers. The Department's response has been that it has no book. However, day after day, taxi drivers are pulled in and accused of breaking this rule or that regulation. I have asked that taxi drivers be shown the rules or regulations, but that is not done. The Department produces no guidance.

For example, I was prosecuted for picking up someone from the street without a booking. I had a white plate on my vehicle, which authorised me for public hire outside Belfast. I was fined £56 and a further £28 in costs. The two sections of the Department work side by side. The licensing section sent me a letter asking me to attend a meeting or my licence would be revoked because I did not tell them about my conviction. However, they were the very people who prosecuted me; they had sat in the courtroom during my hearing. That is what we are up against daily.

As I said, on 12 September, the Minister spoke to DOE officials and said to them that if these are the facts, she is not surprised that taxi drivers are angry. That was on 12 September. On 14 September, we got action from the Department because Arlene Foster had intervened directly.

Mr I McCrea: You mentioned taximeters. What opinions do you have on a maximum fare?

Mr Matier: A maximum fare will create chaos, especially in the area served by the Belfast public-hire taxis. The driver at the front of the rank might charge the maximum fare; if I am second or third in the rank, I could charge less than that. The passenger will go down the taxi rank asking drivers how much they will charge. The way we work the rank, the first taxi there is the first one away. The maximum fare will create chaos; the minimum fare should stay. It is understandable that a maximum fare could be imposed in certain circumstances, but, in general, it will create chaos in our industry.

The Chairperson: Thank you very much for your time; your contribution has been very useful.

Mr Beckett: Mr Chairperson, may I say that all the evidence that I have given is publicly available.

The Chairperson: Thank you.

Mr Matier: May I submit these supporting documents? There is also a map of the proposed taxi ranks.

The Chairperson: Thank you. Will the representatives from the George Best Belfast City Airport taxi rank please come forward? Mr McCloskey, thank you for coming today. You have probably sat through the whole session, so we will try to make this as relaxed as possible — although within certain guidelines.

Mr Anthony McCloskey (George Best Belfast City Airport Taxi Rank): I have only a few questions to ask and a short submission to make. I made most of my proposals in writing, and I am here only to highlight a few of them.

I have been a Belfast public-hire taxi driver for more than 34 years and have had very little help or protection from the Department of the Environment in that time. The franchise for George Best Belfast City Airport runs a fleet of 50 taxis, all of which are wheelchair accessible. We do not charge anyone extra.

All our taxis are in pristine condition, and we would advocate to the Committee that all ports, airports, bus and train stations, and city centres, should have wheelchair-accessible taxis; in fact, I would suggest extending that to every town and city in Northern Ireland.

We agree with a one-tier system, as long as it includes wheelchair-accessible taxis. All our taxis at Belfast City Airport are metered, and we set a fair rate in conjunction with the airport. We would like all taxis in Northern Ireland to be metered, those meters having been calibrated and sealed by the Department of the Environment or its appointed agent.

We want a maximum fare to be set at the highest rate possible in order to accommodate people such as us who pay a high premium to stand and ply for hire at Belfast City Airport. At the moment, our minimum fare is £5, which is scarcely enough.

Rather than running backwards and forwards looking for rises every year or every second year, if the maximum fare was set at a high rate, drivers could get a price rise and it would not take up a lot of time — it would be within the maximum fare, if you understand what I mean. In the past, we have found getting a fare rise to be a very laborious task, and by the time the rise was passed and implemented, it was time to look for another one. It took about a year to get the rise, and we were kicked from Department to Department and then to the Consumer Council. I was a wee bit bemused as to how we ended up at the Consumer Council. I wish that the process for getting a fare rise was more accessible, and that it was easier, rather than harder, to get one.

Our taxi licences are too cheap — licences should be expensive. Getting a licence should involve going on a four- or five-day course that includes a driving test, an aptitude test, a knowledge test and Inclusive Mobility and Transport Advisory Committee (Imtac) training. The majority of our drivers carry have such training; they have paid for it themselves. Such training and testing should be part of the licence-application process. In layman's terms, the drivers should be told the rules, regulations and penalties, so that when they are sent out to ferry the public around, they know exactly what they can and cannot do, and they go out to do a professional job.

We have different types of vehicles, all passed by the Department. Some of them do not carry the Belfast public-hire specification, which includes a partition. That should be an optional extra for the driver — if

he wants it for his own safety, depending on where he works. Manufacturers are now producing wheelchair-accessible vehicles, which are readily obtained. We have a variety of such vehicles at George Best Belfast City Airport.

Finally, I suggest only one amendment to the Taxis Bill. I would like to see a zone in Belfast in which the only type of taxi that is allowed to ply for hire is an accessible vehicle. That could be amended slightly to allow outside taxis to come in to the city at the weekend, say from midnight Friday to dawn on Saturday and from midnight Saturday to dawn on Sunday. Those are the only times when there is a scarcity of taxis in Belfast. Other than that, a zone should be in operation in which only wheelchair-accessible taxis are allowed to pick up or ply for hire.

The Chairperson: Thank you for outlining your case with such clarity.

Mr Weir: Thank you for your evidence. Other witnesses have mentioned the situation at the airport. How do things operate at George Best Belfast City Airport? Is there some sort of franchise system? Do drivers pay a particular premium? I was going to use the word “accessible”, but that might be the wrong word in this case. How open is the system, and who can avail of it?

Mr McCloskey: The committee advertises when it needs drivers. We interview them to see whether they meet the criteria, and we explain to them the way in which we operate.

I omitted to mention enforcement. We work at George Best Belfast City Airport, which, as you know, is part of Belfast harbour industrial estate and has its own by-laws. I would like enforcement powers to be extended to the Belfast harbour police.

In answer to Mr Weir’s question, we carry out interviews and we run the scheme on a committee basis. We do not make a profit.

Mr Weir: I am trying to clarify the way in which the scheme operates. Is it almost like a form of licensing that permits taxi drivers to operate at the George Best Belfast City Airport? If so, do those taxi drivers have to pay a fee?

Mr McCloskey: We pay the George Best Belfast City Airport a substantial fee for the franchise to operate at the airport.

Mr Weir: If a taxi driver has not gone through your process, would he be able to drive into the George Best Belfast City Airport and pick up a fare?

Mr McCloskey: No.

Mr Weir: Some people feel that there is not a level playing field inasmuch as the range of taxi drivers that can operate at George Best Belfast City Airport is

restricted. Presumably, taxi drivers who work at the airport are free to pick up fares outside the airport.

Mr McCloskey: No. Airport taxi drivers have a restricted public-hire plate for use outside Belfast. We do not operate in the city centre. We operate only at the airport.

Mr Weir: Is that because you are restricted by regulations?

Mr McCloskey: Yes.

Mr Weir: Finally, as regards the proposed legislation, do you see any particular implications for taxiing at George Best Belfast City Airport, over and above anything that applies elsewhere?

Mr McCloskey: No. Our boss — for want of a better description — is the director of the airport. If he tells us to reverse around the airport, we would do that because he is the king of the castle.

Mr Weir: It would be interesting to see you reversing around the airport.

Mr McCloskey: I read about a court case in Birmingham in which the judge said that the director of the airport was akin to the king of the castle who ruled over all he surveyed. The Belfast harbour estate has its own by-laws. However, the harbour police do not have any by-laws that control taxis. In addition to the airport, there is the harbour, and many types of transport, including cruise ships are coming into Belfast. Therefore, the harbour police should be involved in enforcement.

Mr Ford: Are all your vehicles, rather than just a proportion of them, wheelchair-friendly? I know that some of the vehicles are of an MPV-style.

Mr McCloskey: We have purpose-built taxis. We have Volkswagens, Mercedes’ and Peugeots that are in pristine condition. They have to be below a certain age.

Mr Ford: Are you operating a 100% accessible fleet of taxis?

Mr McCloskey: Yes.

The Chairperson: Thank you very much for your time, Mr McCloskey. Your attendance at today’s meeting has been very useful.

Mr McCloskey: I must tell Mr Armstrong that, after 35 years, I found the lighting at Stormont to be not too bad. I managed to get around all right.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR CULTURE, ARTS AND LEISURE

Thursday 4 October 2007

LIBRARIES BILL (NIA 5/07)

Members present for all or part of the proceedings:

Mr Barry McElduff (Chairperson)
Mr David McNarry (Deputy Chairperson)
Mr Dominic Bradley
Mr Francie Brolly
Lord Browne
Mr Paul Maskey
Mr Kieran McCarthy
Mr Nelson McCausland

Witnesses:

Mr Noel Kelly	} Department of Culture, Arts and Leisure
Ms Julie Mapstone	
Mr Paul Sweeney	

The Chairperson (Mr McElduff): I welcome Julie Mapstone, Noel Kelly and the permanent secretary of the Department of Culture, Arts and Leisure, Paul Sweeney. Would you please introduce yourselves? Is Paul here yet?

Ms Julie Mapstone (Department of Culture, Arts and Leisure): Mr Sweeney has been detained at another meeting, but he is in the Building and is expected to join the Committee soon.

I am head of the libraries restructuring branch of the Department of Culture, Arts and Leisure. Noel Kelly is legal advisor from the Departmental Solicitor's Office. He is an expert in employment law and has been involved in many of the staffing issues that are connected to the RPA changes.

The Chairperson: There is no formal presentation, so we can move immediately to questions or comments.

Mr P Maskey: I will ask a three-part question on trade union concerns. NIPSA is concerned that clause 3 of the Libraries Bill does not allow for the proposed

library authority to co-operate with other bodies. First, will you explain the thinking behind clause 3 and give examples of the kinds of bodies that you envisage the library authority co-operating with? Secondly, does clause 3 allow the library authority to co-operate with bodies that have not been established under statutory provision? Finally, has the Linen Hall Library been established under statutory provision?

Ms Mapstone: Partnerships are key issues for the library authority and are covered in clauses 2 and 3.

Clause 2(3) states:

"The Authority may make such arrangements with other bodies whether inside or outside Northern Ireland which it considers necessary in order to enable it to carry out its duty".

Co-operation is reiterated in clause 3(2)(h).

The library authority will be required to work with other organisations in developing and delivering its services. A single library body is in a better position to develop such key partnership arrangements. The Bill will leave the library authority at liberty to effect partnership arrangements with whichever bodies it sees fit including, for example, the education and skills authority, the Linen Hall Library and any other sorts of organisation whose provisions it feels that it can use effectively to deliver services to the public.

Mr P Maskey: The authority is allowed that freedom?

Ms Mapstone: Yes.

Mr D Bradley: Could you explain what lies behind clause 4, which concerns the power of the authorities to undertake commercial activities? Can you assure the Committee that the Department will not judge libraries on their commercial success, or otherwise?

Ms Mapstone: That is not actually a new provision; under the current legislation, libraries have the authority to carry out commercial activity. That might include assisting on a commercial basis with research, production and sale of books of local interest, or providing coffee shops, which several libraries have begun to do. It is not new, but we wanted to make it absolutely clear, because many senior library staff were interested in developing some of those aspects.

The performance of the library authority will not be measured by reference to those commercial activities, because they are not expected to be a highly significant part of the Library Service's work. Performance will be measured, in the usual way, by the extent to which the service meets, or surpasses, the policy guidelines set out in 'Delivering Tomorrow's Libraries', by its achievement of the public library standards and by its stewardship of public moneys.

Mr D Bradley: Would it be helpful to include in the Bill clarification that libraries will not be judged on their commercial activities or success, given that that

was one of the anxieties of the Chartered Institute of Libraries and Information Professionals?

The Chairperson: Do you want to pursue that any further, Dominic, or are you happy enough for now?

Mr D Bradley: I am happy with that.

Mr McCarthy: Many, if not all, of the witnesses were extremely concerned that the current wording of clause 6 does not guarantee free core services. Some were of the view that the current legislation is clearer, as it specifies what exactly can be charged for. Others suggested that the core services described in ‘Delivering Tomorrow’s Libraries’ be specified in the legislation as being free. Why has the Department not specified clearly in clause 6 that core services will be free of charge? Would the Department consider amending the legislation to make the commitment to free core services more explicit?

Clause 6(2) permits different charges for different people, localities and circumstances, and that could, potentially, be discriminatory. What is the intention of clause 6(2), and why is it included in the Bill?

Ms Mapstone: The proposed legislation is not intended to change, in any way, the current charging regimes in the Library Service, but it is intended to simplify the existing statutory provision. That part of the current legislation has pages specifying in great detail what can and cannot be charged for.

In the Department’s policy-guideline document ‘Delivering Tomorrow’s Libraries’ its commitment to the public library service, as a universal service that is free at the point of use for its main provisions, is made quite clear. There is no intention whatsoever to change that, but it needed to be simplified. Indeed, in the explanatory and financial memorandum that accompanies the Bill, the commitment to a free library service is stated. That could be made more specific, but it would be very lengthy and structured and the Department wanted to get away from that. If the Committee has a view on how it could be better worded, we would be interested in hearing that.

A point was raised on clause 6(2), referring to the fact that:

“The scheme of charges may make different provision for different cases, including different provision in relation to different persons, circumstances or localities.”

That reflects the current, different, practice in the Library Service where, for instance, members can use the Internet free, but non-members are charged.

A fine for late return would not be levied from senior citizens or children, whereas it would be levied from adults. It is to make sure that that sort of different practice is covered.

Mr McCarthy: All the representations that the Committee has received have been concerned about the lack of commitment to continue with free services. Will you consider changing the wording of the Bill to convince us all that library services will be free at the point of delivery?

Ms Mapstone: We will consider that.

Mr Brolly: My point is supplementary to Mr McCarthy’s question. People are concerned about the sums of money that will be saved and the start-up costs that will be required. That adds to the concern that the library authority will be forced into a situation where it will have to slip in some charges that the Committee would not want to see happening. That is why Kieran’s point is important: the Bill should state explicitly that core services should be free at the point of delivery.

Mr D Bradley: Ms Mapstone, why would there be different charges in different localities?

Ms Mapstone: I cannot recall the reason for that. There are differences in certain charges; for example, libraries can hire out rooms to community groups and they can levy different charges according to the type of group involved. For a charitable body, there would be a reduced charge. We will come back to the Committee on that.

Mr McCausland: As regards co-operation with other bodies, Ms Mapstone mentioned the education authority and the Linen Hall Library. What other bodies might the library authority co-operate with, and what bodies outside Northern Ireland would be involved?

Ms Mapstone: I do not anticipate that there would be many bodies outside Northern Ireland involved. On a professional level, there could be connections with library services in other parts of the UK or in the Republic. There could be scope for joint activities.

Mr McCausland: Is the Linen Hall Library established by statute?

Ms Mapstone: It is. I do not have material relating to that point with me, but the Linen Hall Library is grant-aided by the Department for certain aspects of its provision.

Mr D Bradley: Mr McCausland mentioned the Linen Hall Library. What sort of relationship do you envisage the authority having with more independent libraries such as the Armagh Public Library and the Cardinal Tomás Ó Fiaich Memorial Library and Archive?

Ms Mapstone: Are you talking about partnerships between the library authority and those libraries?

Mr D Bradley: Yes. What partnerships or relationships could the library authority develop with those two libraries?

Ms Mapstone: That would be up to the library authority. Much of the Bill provides enabling measures, which will allow the authority to develop good relationships and partnership arrangements with other libraries and public bodies for better provision of public library services. The Department is not saying that the authority should or should not do something: we intend to make the provision available, should it be relevant.

Mr McCausland: Picking up on that point, does clause 3 allow the library authority to co-operate with bodies that are not established under statutory provision? That is why I asked about the Linen Hall Library. I am not sure, but I do not think that there is any legislation establishing that library — there may be some ancient provision from 1790 or so. However, there is no statutory provision for the Linen Hall Library. If that library is a body with which the authority might have a partnership relationship, and a funding role, then an issue arises about funding roles for other independent libraries such as the Armagh Public Library or others that might emerge.

Can you clarify that? Is that what would be anticipated?

Ms Mapstone: Any partnership arrangement that is useful for developing the service to the public would be allowable under the proposals. Nothing is being ruled out.

Mr McCausland: What about a funding role, not just a partnership? Does partnership imply a funding role?

Ms Mapstone: We do not anticipate altering the current arrangement whereby the grant to the Linen Hall Library goes directly from the Department.

Mr McCausland: It is funded directly from the Department?

Ms Mapstone: Yes.

Mr McCausland: I could understand that happening when there were separate education and library boards. Is there any reason why the funding will come directly from the Department, rather than through the library authority?

Ms Mapstone: The library authority's prime concern will be the public Library Service. The Department could choose to delegate other funding to it, if there was capacity in the legislation to do so. However, the Department has no intention of doing that.

Mr McCausland: I understand that the library in the Ulster American Folk Park is supported by the Western Education and Library Board. That responsibility would pass to the library authority, I presume?

Ms Mapstone: The funding of it would; yes.

McCausland: I presume that other independent libraries that exist, or might emerge, would follow the

example of the Linen Hall Library, whereby they would seek funding from the Department?

Ms Mapstone: If they were seeking funding from the Department, they would come to the Department.

Mr McCausland: Public funding for other independent libraries would come from the Department, rather than the authority?

Ms Mapstone: Yes.

Mr McCausland: In the current legislation, the phrase “comprehensive and efficient”, which refers to the standard of service, is not included in the Bill. Some people suggested in their submissions that it would be useful to have some reference to the quality of the service in the legislation. The suggestion was made that the annex from ‘Delivering Tomorrow’s Libraries’ could be incorporated in some way. Would the Department consider strengthening the wording of clause 2 by incorporating a set of standards? If not, why not?

Ms Mapstone: As members know, standards appear in the ‘Delivering Tomorrow’s Libraries’ policy guidelines document, and that is the first time that standards have been set for the public Library Service in Northern Ireland. Progress towards achieving those standards will be monitored as part of the monitoring arrangements between the Department and the library authority. The expectation is that the authority will reach, or even surpass, those standards in the next few years. At that stage, the Department intends to review the standards to see whether they are still relevant or whether they might be changed or upgraded in order to continue the improvement and development of the service.

If the standards were to be included in the legislation, the Department would have to go back through the whole legislative process in order to amend them. We do not think that that is appropriate or necessary. Standards can be part of the relationship between the Department and the authority.

Mr McCausland: Is there any reason for not including the phrase “comprehensive and efficient” in the legislation? That would not have to be amended.

Ms Mapstone: The Department considered that phrase long and hard. That is a common phrase that is used about public library services across the UK — however, it is not terribly meaningful. What is meant by “comprehensive” must be spelled out. That is what the Department tried to do in redrafting the legislation. Having to legislate for efficiency is a little strange, because one would expect that to be monitored anyway.

We strengthened the duties of the authority in respect of the provision of a comprehensive service in clause 2(2)(a), which states that the specific task of the public Library Service is to provide:

“materials sufficient in number, range and quality to meet the general requirements of adults and children”.

That is an attempt to define what we mean by “comprehensive and efficient”.

We will look at that issue again. I recognise that witnesses have raised that concern in their evidence to the Committee.

Lord Browne: Most of the witnesses have expressed the opinion that establishing the library authority and the education and skills authority at the same time would be to the advantage of staff — it would maintain their morale and give them certainty. They have also said that 1 April 2008 is not a realistic date for the setting-up of the library authority. Has the Department had any discussions with the Department of Education about the timing of the establishment of the library authority and the education and skills authority? If so, what were the outcomes of those discussions?

Mr Paul Sweeney (Department of Culture, Arts and Leisure): Obviously, the Department of Education’s decision on 19 July to announce that the establishment of the education and skills authority would not now take place on 1 April 2008, but at a time between then and April 2009, has had a material impact on all of these matters. Likewise, the Committee’s decision to seek a four-month extension to allow for further consultation — and rightly so; it was the Committee’s prerogative to do so — has had an impact.

As a result of all that, we have, as you might imagine, engaged with the Department of Education to work out in what way the timescales will have to be aligned. The Minister has obviously also reflected on that, and he has raised the issue with his Executive colleagues. My understanding is that he will come before the Committee on 18 October, and he wishes to engage specifically on that issue in the light of the decision about the education and skills authority and that fact that the legislation now needs more time at Committee Stage. The Minister wishes to specifically engage on the need to realign, and establish certainty about, the timescales for those two processes. Meanwhile, we and our colleagues in the Department of Education are working very closely on the practical tasks that need to be addressed.

Lord Browne: Do you foresee a realistic date for setting up the library authority? Is it possible that it will be set up not by 1 April, but at a later date?

Mr Sweeney: From the Minister’s point of view, April 2008 was the DCAL position. Some might say that it was an aspirational date, but until the Minister makes an official decision — and, in the first instance, advises the Committee of that decision — officials have to continue to work towards that date. As I say, I know that the Minister has given the matter very

serious consideration, and he will engage with you specifically on the issue of timescales on 18 October.

Mr McNarry: Forgive me for being late, and please stop me if this has been raised already. The Committee has heard evidence from witnesses who have taken legal advice on the Bill that suggests that there are obvious elements in the Bill that are open to legal dispute. They have informed us that the reply to the advice has been that that may be the case, but any dispute should be sorted out at a tribunal. The rest of the Committee and I found that quite disturbing. What issues have been pointed out to you that indicate that a dispute is already taking place? Are you aware of a response to the effect of, “We recognise that disputes will arise, but rather than resolve them at this stage, we will let them go and allow them to be dealt with in tribunals and the courts.”?

Mr Sweeney: That may relate specifically to schedule 2 and the transfer schemes.

Mr McNarry: It does, yes.

Mr Sweeney: With the Committee’s approval, I will defer to my colleague from the Departmental Solicitor’s Office.

Mr Noel Kelly (Department of Culture, Arts and Leisure): Certainly, as far as I am aware, no response has ever issued to anyone from NIPSA or UNISON or anyone else along the lines of, “We recognise that there is a dispute, but we will leave it to the tribunals to sort it out.” That simply would not be the way in which we would approach it. Various issues were raised in the NIPSA document, of which you are aware.

We take a different legal view on those issues. To answer your specific question, nobody that I am aware of has responded in a way that suggests that we would leave the tribunals to sort out a mess that we had created.

Mr McNarry: I am grateful for that response. However, I will pursue the matter.

The drafting of the Bill is also a concern. You are telling the Committee that the two legal opinions are different — yours differs from someone else’s. That seems to link directly to an existing dispute. I need to know that you are confident that your opinion is right, that the other opinion is wrong, and that you will put yours in the legislation and allow it to be tested in the courts.

From a layman’s point of view, I am asking you to have another crack at the legislation and come back and let the Committee know that you are doubly sure that you are right and that they are wrong. That would reassure those of us who have to legislate on the matter and — somehow — agree the Bill, which is what we want to do. I am not suggesting that this would happen, but the Committee will take a dim view of being misled by anyone, particularly where legal

opinion is concerned, when we are reliant upon advice. Given that, would it not be better to take on board what I have said? Would you take an opportunity to resolve the matters that I have mentioned to avoid a scenario in which the dispute may be hanging in abeyance, with the only course of action left being to go to a tribunal?

I say that because, when the matter comes before the Assembly — and even when the Committee scrutinises the minutiae of the Bill — I, and I am sure that other members will agree, will need to be satisfied that the legal advice that we are getting is correct. At the moment we have contrary legal advice. I will not flip a coin to decide which one I believe. However, I am sure that you appreciate where I am coming from. Given that a legal dispute is ongoing, I do not want schedule 2 to be included in the Bill in the knowledge that at the first opportunity the Bill will be tested in court. I do not think that the Minister would want that either.

Mr N Kelly: I understand your point. There are two differing legal opinions, and I am fully prepared to reconsider the issue. However, it will come as no surprise to the Committee to hear that in the run-up to today's Committee meeting we went over the legislation again thoroughly. My opinion is still that it is correctly drafted. That will be of no immediate comfort to the Committee because another senior counsel has a contrary opinion. The opinion of Frank O'Donoghue QC has not been disclosed to me, but both in writing and in person, John Corey indicated what he said and what he was taking out of that opinion.

Certainly, I will reconsider each of the issues that have been raised. It would be helpful if we could see the full opinion that NIPSA obtained. The Committee may also find it helpful, but perhaps it has seen it already.

Mr McNarry: I appreciate Noel's leading me, which makes a change — I was coming on to that matter. Given that a dispute has been signalled, it is important that those who created that resolve the matter by getting together.

I hope that the Committee would support such a request to those who have highlighted the prospect of a dispute.

It should be put on record that the Committee may need to seek a third legal opinion — an outside opinion. That is no disrespect to Mr Kelly, and I am reluctant to do so, because the money that it would cost could be spent on a school or on a hospital patient. I am taking a cross-cutting perspective, in that I would like to believe what you say, but I have heard a different opinion. If you and Mr O'Donoghue cannot get together, the Committee may need to take some action, but the matter must be resolved. .

Mr Brolly: In the ongoing argument between the two legal opinions, paragraph 15 on page 4 of NIPSA's submission may be significant: "Trade Union Side has

sought further legal advice on these matters." "We remain strongly concerned that the current provisions in the Bill may not provide the necessary protection of staffs' rights and we believe all the disputed clauses in Schedule 2 should be subject to further detailed scrutiny at Committee stage."

It is significant that, in the second sentence, NIPSA uses the words "may not provide", whereas its officials' expressed a much stronger opinion when they first appeared before the Committee.

Mr N Kelly: The difficulty arises when a lawyer is asked to scrutinise a Bill, or any piece of work, and to try to punch holes in it. I stress that I have not seen Mr O'Donoghue's opinion, but it may have been along the lines of recognising the possibility of a dispute. I suspect that his opinion is not couched in as definite terms as was initially suggested to the Department. However, it would have been extremely helpful to have seen his opinion.

The issues are complex, and my instructions throughout, when considering this Bill and throughout the work that I have done for other Departments on RPA, have been to ensure that the interests of staff are fully and properly protected in line with Cabinet Office guidance and TUPE protection. That is what I sought to achieve. However, if there is doubt, I want to see the full opinion and I would give it careful consideration. I know Mr O'Donoghue: he is an extremely able lawyer, and I would be interested to hear what he has to say.

Mr McNarry: In order to provide clarity to the Committee, is it the case that the contrary legal opinion has not been discussed with you?

Mr N Kelly: It has been discussed but not disclosed. I have seen paraphrased extracts.

Mr McNarry: Is there no way that you can agree with the suggestion that the response was that in that eventuality, the case would simply have to go to a tribunal?

Mr N Kelly: I am absolutely certain that that suggestion was not made by me, in my hearing, or, as far as I am aware, by anyone else. As at least one person in this room knows, I chair the tribunal, and I would not drum up extra work.

Mr McNarry: I accept that.

The Chairperson: I will move on to Dominic, who, I hope, will include the issues raised in paragraphs 2 and 3 of schedule 1 to the Bill in his question, such as how many board members the authority should have and the rules governing the tenure of office.

Mr D Bradley: That is exactly the point that I was going to raise. The Bill states that the board should have between seven and 14 members. Many witnesses who have appeared before the Committee have

questioned the ability of such a small board to handle the workload involved, particularly as the nature of the work means that the board often has to set up subcommittees. A board that has between seven and 14 members would find that extremely difficult.

Did the Department look at the size of other boards in Northern Ireland and compare its proposal with those, or try to benchmark the board by comparing it to similar boards in other parts of the UK and the Republic?

Witnesses have expressed anxiety about the make-up of the board: they believe that it could be more representative and could include public and union representatives, and library interest groups. Have you considered inserting a clause into the Bill to deal with the make-up of the board? What are the pros and cons of introducing legislation to do that in comparison with leaving it to a public appointments process?

Ms Mapstone: The Department examined other boards in Northern Ireland for benchmarking purposes. We did not look outside Northern Ireland. We looked at the size of board membership, with particular reference to some of DCAL's sponsor bodies such as the Arts Council and the Sports Council. There is a general move towards having smaller boards that work more effectively and efficiently, so we were trying to reflect that. The text of the Bill also reflects advice from the Office of the Commissioner for Public Appointments (OCPA), which recommends having smaller boards. However, the Minister is on record as saying that he wishes to reconsider all questions relating to the board: he has made that point to the Committee and wants to hear its advice.

OCPA recommends open appointments on the basis of merit and the need to reflect the width of experience required. The Department does not believe that the new library authority will need to have the range of committees that is currently required by the education and library boards. As the new board will be dealing only with the Library Service, fewer committees will be necessary. An audit committee and a finance committee will be needed: after that, the situation is quite open; therefore, we do not think that the need for committees will necessarily drive up the number of board members. As I have said, the Minister wishes to reconsider much of the detail.

Mr D Bradley: You said that the general feeling is in favour of having smaller boards, but is there any evidence that they are more efficient? You also said that appointments would be based on merit; but how will you ensure that you get board members who have the experience and level of interest needed?

Ms Mapstone: I am not aware of any specific research demonstrating that smaller boards are more

effective than larger ones. The Department has followed the views and guidance of OCPA.

The information and documentation for the advertisement for the recruitment of board members will be crucial in ensuring that appointments are based on merit. The advertisement will need to specify the types of experience being sought. Criteria will be set for the recruitment of members and will ensure that all areas of required expertise are covered.

Mr D Bradley: I can see what lies behind the process, and that you will be able to attract suitable candidates through the advertisement. Would it be useful for a balance to be built into the process so that some of the interests that I mentioned earlier could be represented on the board?

Ms Mapstone: Getting a balance will be crucial. The Department does not want the board to comprise people with just one type of experience or who come from just one area. It wants the board to reflect broadly the population that will be served by a universal public library service. Care must be taken in drawing up the recruitment documentation so that the range of applicants will be wide.

Mr McCausland: To pick up on your use of the word "reflect"; the constitution of the current education and library boards does not oblige them to reflect the areas they serve, and in some cases, there has been great disparity in the appointments that have been made. The only two bodies that are bound, by legislation, to reflect Northern Ireland society in their appointments are the Equality Commission and the Human Rights Commission. If that is an example of good principle, and if the Department has endorsed the need for the new board to reflect the area it serves, is there value in considering whether to include provision in this legislation?

Ms Mapstone: We will give that matter further consideration.

Mr Brolly: I have a question about the composition of the new board, particularly as regards geography. At present, local councillors are members of each of the five education and library boards that represent their areas. Does the Department envisage that the new library board will include members from the new councils, however many there are? The Committee has asked previously how the Department intends the new library board to associate, and have a close relationship, with local authorities so that it does not become centralised. Of course, being a country fella, by that I mean Belfast-based.

Ms Mapstone: The authority will be a regional body with a single board, and it will be challenge for that board to reflect local issues. In the interests of balance, how that will be done must be considered. It will be difficult to set up a board that reflects the

interests of local areas within a single, regional body. The chief executive designate, Irene Knox, is concerned to ensure that local relevance is achieved in the delivery of the library service and is considering how to go about that.

Mr McCausland: If I were to sit on the library authority, and it were suggested that the library in Dromara should be closed and a new one opened in Drumnahunshin, I would not have a clue what to do, because I do not know those places. However, I would be able to make a decision on whether to transfer services from Skegoneill Avenue to the Shore Road. Local input is important. Later, the Committee will be discussing the subregional structure of the library authority. I am yet to be convinced that there will be good decision-making on local issues within a single library authority when, in practice, those on the board will know little about certain areas. If I were asked whether a library should be situated in Londonderry, Strabane or somewhere else in the west of the Province, I would not have an answer. How will that be dealt with?

Ms Mapstone: Something as significant as a library closure would require a great deal of interaction with local people. As members are aware, the Department requires the education and library boards to engage in lengthy consultations on any proposal to close a library.

Mr McCausland: However, the board of the single library authority, which would not have local knowledge, would make the ultimate decision.

Ms Mapstone: Yes; the final decision would be taken by the board, but it would have to ensure that it gained local knowledge.

The Chairperson: I agree with Mr McCausland that Strabane would be a suitable location for a new library.

Mr Brolly: You have used the phrase, “interaction with the local authorities”. How would that be written into the legislation? Who, from a local authority, would you interact with? If your face were set against having representatives from each local council on the new board, what type of structure could be set up that would allow you to have close contact and deal with situations such as those that Nelson McCausland mentioned.

Ms Mapstone: Much will depend on what emerges from the review of public administration. In particular, community-planning responsibilities will fall to the new councils, and we have had conversations with the Department of the Environment specifically on whether the responsibility of the library authority to interact, under those community-planning guidelines, should be put into legislation. We believe that it should not. The library authority would then be named in the relevant local government legislation as a body that would be part of those community-planning responsibilities. Until that arrangement is set up, the

library authority must develop relationships at a local level, through its senior library staff.

The Chairperson: I would like Members to turn to general issues for the next 15 minutes. Paul Maskey, Kieran McCarthy and Wallace Browne will each ask a question, and I would ask Julie and her team to give a composite answer.

Mr P Maskey: Why is there is no provision in the Bill for secondments between the library authority and the education and skills authority or between the schools’ library service and the library authority? Why are secondments being limited to the Northern Ireland Civil Service? Will you consider broadening the opportunities for secondments?

Mr McCarthy: My question is about money and estimated savings. The majority of witnesses have been concerned about the predicted savings for the library authority in 2009-10 and 2010-11, and, in particular, the assumption that there will be savings through reducing the number of management-level staff. The boards have said that they do not have a large number of senior staff and that cutbacks in backroom staff have already been made. Witnesses have also pointed out that savings from redundancies are not normally realised until at least two years after they occur, and that corporate services will mean ongoing additional costs for the new authority.

In detail, and with supporting figures, how does the Department envisage making those savings? You may wish to provide a written answer to that important question.

Lord Browne: I return to my original theme — the link between the library authority and education services. Many people are concerned that, when the services are separated, the strong links and experience that has been built up will be put at risk. How does the Department intend to maintain those links? In addition, how will the new library authority deliver on the literacy and lifelong learning programme?

Ms Mapstone: There is already scope for secondments in the legislation. Paragraph 5(1)(b) of schedule 1 states that the library authority, including its chief executive, shall have: “such other employees as the Authority may determine.”

There is no insistence that those employees would come through direct recruitment — there could be secondments. Paragraph 8(1) of schedule 1, under the heading “Arrangements for assistance”, states:

“The Authority may make arrangements with such persons ... as it considers appropriate for assistance to be provided to it.”

No attempt is being made to deny other types of secondments, particularly on the education side, with the schools’ library services. Secondment arrangements will apply to the library authority. Civil

Service secondments are specified because they may not otherwise have been allowable, and there may be a need for a civil servant with specialist skills to implement financial systems or accounting procedures to work in the library authority. That is the only reason why that measure been included in the schedule.

Mr Sweeney: The financial effects of the Bill are, to some extent, set out in paragraph 13 of the explanatory and financial memorandum, which estimates savings of £600,000 in 2009-10, rising to £1.2 million in 2010-11, under the review of public administration. Some of those savings are contingent on when the new library authority goes live. The figures were predicated on the body's going live on 1 April 2008, so the actual starting date will have some effect.

Corporate services are dealt with in paragraph 14 of the explanatory and financial memorandum. That is important, and the Department has made Deloitte's work available to the Committee. At present, it costs almost £1 million to deliver corporate services to the five education and library boards. That money comes from the five education and library boards, but, as the new library authority will be a stand-alone body, that indirect cost must be identified and factored in. Deloitte's work was useful because it quantified that cost. I needed to know the current hidden cost. Deloitte said that it was £956,000, which I will round up to £1 million for the sake of this discussion. Therefore, I know that I will have to find around £1 million. Taking guidance from the chief executive designate, we will have to find the most cost-effective way in which to deliver the corporate services that are currently being delivered through the five boards. If the Chairperson approves, perhaps the Department could provide the Committee with a succinct couple of pages outlining the ramifications of the Deloitte study.

The Chairperson: The Committee would welcome that.

Ms Mapstone: The Department of Education and the Department of Culture, Arts and Leisure keep in regular contact on issues relating to the creation of the two new bodies and the development of a common approach to staff-transfer issues between the education and skills authority and the library authority. Contact is maintained using implementation teams from both bodies. That will ensure that staff who are currently employed in the education and library boards have the same cover when they transfer to the two new bodies.

We have been asked about the continuation of relationships — there is a strong historical connection between the public library service and the education service. For example, library assistants deliver initiatives such as Bookstart, which is a literacy programme, to preschool children. Library staff are involved in primary-school visits that demonstrate the

library's value to young children through storytelling sessions and other initiatives. We will ensure that that service continues, and it can include any sort of partnership arrangement. Service level agreements could be developed between the education and skills authority and the library authority. A great deal of debate is ongoing between the two sides, and that will continue.

The Chairperson: Several witnesses have expressed concerns about the assumption that a reduction in managerial staff will result in savings. Will you comment on that? Some people have said that the education and library boards do not have a large number of staff at senior level and that the number of back room staff has already been reduced. Is that the case?

Ms Mapstone: Yes. Some education and library boards have been quite successful in reducing their staff numbers. Streamlining is involved when combining five library services into one, and we expect that that will have an impact on the Library Service headquarters and its administrative staff. The specific costings associated with that streamlining are based on the assumption that there will be efficiencies in combining five library services into one.

The Chairperson: We shall move to general issues.

Mr D Bradley: We have already covered a few of the general issues. There have been concerns raised about the location of the library authority's headquarters. Has a decision been made about its location and, if not, when will it be made? What will the Department take into consideration when making its decision? Also, where will the library authority's temporary premises be located? Finally, what steps have been taken to ensure that reference materials and archives will be protected by the new library authority? The Chairperson knows that the Irish and Local Studies Library in Armagh is at the forefront of my mind when I ask that question.

The Chairperson: And why would it not be?

Ms Mapstone: The chief executive designate and her immediate support team are based in Belfast, pro tem. However, in November 2007 they will move to temporary premises in the centre of Lisburn. Nothing has been determined about a permanent location for the library authority's headquarters. We are waiting for final advice to emerge on the relocation of public-sector jobs and the extent to which that will direct us. We also need to consider the library authority's location in the light of decisions that will be made about the location of the new bodies that will be formed as a result of the review of public administration. As there may be a timing issue, we may need to make our decision first. At present, I cannot tell you anything about the longer-term location of the new authority.

Nevertheless, it will be the subject of consultation and an equality impact assessment.

Mr Sweeney: The actual model through which the new library authority will be delivered has yet to be determined. The critical issue will be in ensuring that we achieve business continuity. I do not envisage a situation whereby the new body will have huge headquarters — it will be a small, lean group. Perhaps, later on, we will talk about exploiting the subregional structure. The notion of a headquarters — with hundreds of people being consolidated into one geographical space — is not one that has entered into my business plan or processes at this stage.

It will be the new board's responsibility to bring proposals to the Minister. The Minister will operate within statutory and Public Service Commission guidelines on the location of public-sector jobs. I do not want to leave the Committee with the impression that several hundred people might be located in one place. Rather, a small group will probably be housed. We will have to identify — using all available guidelines — the most cost-effective location.

The Chairperson: I recall the Minister making the same point.

Mr McCarthy: Dominic has pre-empted my question. I invite you to find a suitable site on the Ards Peninsula, which is absolutely beautiful. We could fit you in there, just fine.

Mr McCausland: Or a caravan site in Ballywalter.

Mr McCarthy: Some witnesses have suggested that a separate advisory council should be set up to provide specialist advice to the library authority. Has the Department considered that option? What would the Department see as being the pros and cons of having such an advisory body?

Ms Mapstone: The Department has considered the matter. A separate statutory advisory body would involve considerable expense, and would be an extra statutory body in a situation where similar bodies are being streamlined.

Such an advisory body also carries certain disadvantages. As a standing body, there would be recurrent costs for a function that may not be needed frequently. It would also be static, in that it would not necessarily be a repository of good practice in library services.

We accept that the library authority will need access and recourse to advice, but there are existing relationships, networks and bodies to provide that advice. The authority will have access to the work of the Museums, Libraries and Archives Council, which undertakes research in library studies and makes that research public. As a separate, dedicated body, the library authority will be in good position to develop

strong networks with public library services across the water and in the South, and with professional associations such as the Chartered Institute of Library and Information Professionals and the Association of Chief Librarians.

Once good networks are established, all sorts of benefits spin off from them, such as systems of peer-review, and joint activity to examine certain aspects. On an ad hoc basis, anything that has worked elsewhere, or anything that might be causing a problem might be discussed within those networks. That is a much more dynamic picture; and that arrangement is more likely to offer the library authority advice that is current and reflects current good practice.

Mr Brolly: I will follow up on Paul's point. Various people who submitted representations to the Committee were worried that the library authority would be placed in an ivory tower somewhere, and that it would be distant. That is why the Committee is concentrating on the local impact of a central library authority. May I suggest a location for it? Mid Ulster would be grand; and there is nothing wrong with East Derry either.

Mr McCarthy: That is too far away.

Mr Brolly: Toomebridge.

The Chairperson: No questions have been asked. *[Laughter.]*

Mr McCausland: What does Ms Mapstone think might be the role of local government in any subregional structure? Should the Bill not refer to the subregional structure of the library authority?

Ms Mapstone: The Department sees the subregional structure as an operational matter and one that should not necessarily be reflected in the legislation. The issue is about how the library authority will operate at the local level, and that is still under consideration by the chief executive designate. She regards it as an important matter. The Department accepts that delivering local relevance is of key significance, but the issue is about how the library authority will operate in a practical way at ground level.

Mr McCausland: Will the incoming chief executive have that matter worked up in the next couple of months?

Ms Mapstone: I know that she is proposing to do that, as far as possible.

Mr McCausland: That was one of the issues that the Committee took into account when it asked for an extension of the Committee Stage. There was uncertainty, and that element was thrown in at a late stage. There had been no mention of it before then.

How many staff would be in a central executive administrative team? I know that they will be lean and fit.

Mr Sweeney: I can answer that question only at a very high level. My discussions with the chief executive designate have been predicated on having a very small executive team that might comprise the chief executive, a directorate team — a handful of people or less — and some support or administrative staff. Please do not hold me to that model.

The principle is to exploit all of the talent that exists throughout the library network in Northern Ireland, and to ensure that the headquarters' core function will be to support and empower that network, rather than becoming some sort of ivory tower. As yet, we have not submitted a business model to the Minister, but the impulse in the Department has been to predicate it on the idea of having a small, multidisciplinary executive team.

Mr McCausland: There is no national library in Northern Ireland. Therefore, unless one travels to Scotland, Dublin or London, one cannot get access to the wealth of material that is important for the development of some of the cultural life in Northern Ireland. Should the legislation not make it the responsibility of the library authority to ensure that there is a collection of all the relevant material about Northern Ireland, and what I would term the Ulster diaspora? I am not saying that there should be a national library collecting everything under the sun.

Individual libraries in Northern Ireland will have books about local villages or the history of some organisations, and so on. However, one cannot get access to material about people from Ulster who have travelled around the world and who have made their mark in various areas of life. I have found several examples of where one has to go to the British Library to find information about people from Northern Ireland. It is bizarre that the material is not available in places such as Omagh, Belfast Central Library, or the Linen Hall Library.

No one can get access to the material because no one knows that it exists, unless, like me, they are weirdoes or sad people who go on holiday in order to search for that sort of material. Can a provision be included in the legislation to pick up on the idea of having a collection of material that is relevant to Ulster and the Ulster diaspora? If I travel to Dublin, I can get easy access to material about any place in Ireland. There is a gap to be filled.

The Chairperson: I presume that that point can be absorbed, because it does not really have a legislative base.

Mr McCausland: It could be included as a responsibility of the library authority.

Ms Mapstone: We will consider it.

Mr McCausland: OK, that is fine.

The Chairperson: My question concerns the tenure of the chairperson of the new library authority. NIPSA expressed the view that the legislation should specify that the chairperson of the new board should be permitted to serve a maximum of only two terms. Have you any views on that?

Ms Mapstone: We agree. However, it does not necessarily belong in the legislation but rather in the terms of appointment and the operating rules of the board.

Mr Brolly: I am worried about operational issues not being included in the Bill. Obviously, coming from a rural area, I am worried about the library service not providing a comprehensive service across a wide geographical area. I do not accept that the matter should be left to the operation of the library authority when it is established. It should be written into the legislation that there should be contact and interaction with local authorities, and how that could be managed and achieved.

Ms Mapstone: We will consider that point. As I said, the Minister wants to consider board membership issues. The difficulty with putting operational matters into legislation is that the legislation would become huge and would start to limit the new authority's freedom and flexibility, and it would make it more difficult for the authority to deliver the best possible service. Therefore, it is a question of selecting the key operational issues that are required.

Mr Brolly: This reflects again on one of the earlier questions about having comprehensive and efficient provisions. To me, the word "comprehensive" refers not only to material but also to a wide geographical spread. It is important that that should be included somewhere in the Bill. I am not insisting on there being representation on the board, but geographical spread should be written into the legislation in a viable way.

The Chairperson: I thank the team from the Department; Julie Mapstone and Noel Kelly; and, of course, Paul Sweeney the permanent secretary for attending the Committee. We look forward to reading and rereading the Hansard report.

The Committee intends to write to the Department about issues that were not completely covered this morning, such as start-up costs, around which there are several issues to be clarified.

Thank you all for coming.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR THE ENVIRONMENT

Thursday 4 October 2007

TAXIS BILL (NIA 4/07)

Members present for all or part of the proceedings:

Mr Patsy McGlone (Chairperson)
Mr Cathal Boylan (Deputy Chairperson)
Mr David Ford
Mr Tommy Gallagher
Mr Samuel Gardiner
Mr Ian McCrea
Mr Peter Weir

Witnesses:

Mr Raymond Dempster	}	Accessible Taxi Association NI
Mr Eamon Grogan		
Mr Terence Maguire		
Mr William Black	}	International Airport Taxi Co Ltd
Mr James McVeigh		
Mr Brian Press		

The Chairperson (Mr McGlone): Today we shall receive oral evidence from Mr William Black; the Accessible Taxi Association NI; Mr Terence Maguire; and the International Airport Taxi Co Ltd. Members will find all the submissions in their members' pack.

One further evidence session is scheduled for next Thursday. The witness will be Monica Wilson of Disability Action, and, unless we receive any late requests, that will be the final oral evidence session. Departmental officials should be in attendance for that.

We will now begin to take formal evidence. Is Mr William Black here? He is not. We will move on. Are Mr Eamon Grogan and Mr Raymond Dempster here? They are.

You are both very welcome. We try to keep evidence sessions as informal and relaxed as possible. We have received your submission. We will allow 10 to 15 minutes for you to present to the Committee. Please try to keep within that time frame. You do not have to repeat everything that you have already said in

your written submission, but if there are particular points that you wish to emphasise, please feel free to do so. After that, Committee members will indicate whether they have further questions to ask or points that they would like you to clarify. Please stay focused on the Taxis Bill. The floor is now yours, so I thank you very much for giving up your time to be with us today.

Mr Eamon Grogan (Accessible Taxi Association NI): I wish to thank the Committee for the Environment for its invitation and the Committee Clerk for the work that she has done on our behalf.

I want to talk about the Department's proposal for an operator's licence and how that will affect me as a driver.

Mr Raymond Dempster (Accessible Taxi Association NI): I will be helping Eamon. We have put together our notes, and obviously Eamon will need some help with what he is saying. Basically, that will be my role.

As Eamon has said, the association's first problem with the Taxis Bill is operator licensing. The association feels strongly that that licence is not suitable for Belfast public-hire taxis. It is widely known that that type of licence is used to regulate the private-hire taxi industry. The operator's licence requires drivers to take and maintain records. Eamon wants to explain exactly what that would mean for him.

Mr Grogan: The Department stated that Belfast public-hire taxis would always be exempt from having to hold operator's licences. However, the Taxis Bill will require all taxi drivers to hold an operator's licence. Therefore, someone such as myself, who cannot read or write, will be unable to keep the records required by the licence. As the driver of an accessible taxi, I will no longer be able to meet the required standards. Therefore, I feel that there is no legislation to help people such as myself.

On the health and safety issue, public-hire taxis are of the highest standard — M1 type approval standard vehicles — and they are wheelchair accessible. Public-hire taxis have always been exempt from holding an operator's licence.

Mr Dempster: Association drivers are sole traders — self-employed people who do not work for companies. As sole traders, we feel that an extra burden will be placed on us. For example, we will have to pay for the operator's licence — whatever the cost — and that cost will be set by the Department. However, taxi drivers who work for companies will have that cost paid by the company owner, who may then pass the cost on to the taxi driver. The association feels that drivers' having to pay for the licence themselves is an extra burden, and that that has not been fully recognised by the Department.

As Eamon also said, before the Taxis Bill was drawn up, an early consultation included an exemption from holding an operator's licence for our type of taxi. However, when the later consultation document on the Taxis Bill was issued, that exemption had been removed. We spoke to the Department about that, but were given no firm answers to our questions. We would like the Committee to amend the Taxis Bill to allow that exemption to remain in place. The Committee should remember that an operator's licence has never before been used in respect of a public-hire taxi service.

Mr Grogan: The Department proposes to put in place a one-tier system that will allow all taxis, when hailed, to pick up passengers on the streets of Belfast. The public have always been able to recognise easily that public-hire taxis can be hailed in the street. However, the new legislation will make it easier for any taxi to pick up people on the streets — the public will not be able to recognise that they could be getting into anyone's car and that that is not a safe situation. Therefore, the association wants the two-tier system to remain in place.

Mr Dempster: As an association, we are aware that there is a need for more taxis at peak times and, has already been discussed with the Committee, those times are between 1.00 am and 3.00 am at weekends.

There is no need for extra taxis in Belfast outside those hours. Taxi industries in every town and city have the same problems at the same times; the situation is not unique to Belfast or anywhere else in Northern Ireland. It is at that time of night that taxis are used most.

Drivers of Belfast public-hire taxis have serious concerns about the amount of work that will be taken away from them if the Assembly passes the Taxis Bill. The booking of private-hire taxis has grown beyond anyone's expectations. In Belfast, the system works very well, and private-hire taxis provide a good service when the public want to phone and book a taxi.

However, the proposal to allow private-hire taxis to pick up people in the street without a prior booking goes against what has always been normal practice in Belfast and will put public-hire taxis at a distinct disadvantage. The rest of the industry can work in the public- and private-hire arenas whereas, by definition, our type of taxi can work only from taxi ranks. The Bill will, therefore, push our association into doing something that it does not want to do. Our taxi drivers do not want to work for private-hire companies through phone booking. They want to continue to work from taxi ranks and be hailed in the street. I am aware of the fact that to limit ourselves to that type of work could be detrimental to us, but we believe that there is no level playing field and that proposals in the Taxis

Bill, at the risk of repetition, will allow saloon cars to work in the public- and private-hire arenas. The Taxis Bill will create a huge movement towards private-hire companies.

Another problem posed by the Bill and the one-tier system is the provision of designated areas, which are to be regulated by the Department of the Environment. That greatly concerns us because our association has never been told what distances those areas will cover or how they will be enforced. The Department will regulate that private-hire cars cannot pick up passengers in designated areas around a taxi rank, but passengers being picked up by private-hire taxis without a prior booking has been one of the main problems in Belfast to date.

The proposal in the Bill is for private-hire taxis to pick up people in designated areas. The association does not feel that that measure can be enforced effectively. The authorities have never been able to enforce it in Belfast city centre in the past, and we feel that they would be unable to do so in the future. We cannot expect to have complete enforcement in every designated area. As representatives of our industry, we believe that the more designated areas there are, the better; but a bigger problem is going to be created.

The association's other concern is based on the requirements for accessible taxis under the one-tier system. Eamon will take up that point.

Mr Grogan: Drivers of accessible taxis have always been told that permission to pick up passengers on the street relies on our vehicles being wheelchair accessible. The Department is now saying that it will allow private-hire vehicles to pick up people on the street and is easing the current requirements about permission. Taxi drivers in the association have had to go to the expense of buying wheelchair-accessible public-hire taxis, and now the standard is being lowered; that is wrong.

Mr Dempster: As Eamon said, the association's taxis have to meet the highest standards to gain M1 type approval. We want the specific standard of M1 type approval to remain as the classification for an accessible taxi, simply for the safety of passengers. It is the highest standard, and to go below it might be detrimental to the industry and, later, probably to the Department too. We ask the Committee to be mindful that the best taxi industries in the world use our type of taxi and that regulation for accessible taxis in Belfast is in its infancy. There should be a sustained period of stability and enforcement, so that the public can gain confidence in the public-hire, wheelchair-accessible taxi service.

Eamon will now explain what the training that all drivers must undergo means to him.

Mr Grogan: The training means that drivers of accessible taxis will have to meet certain requirements. The Department will train drivers on issues specific to taxis. I feel that if I do not meet the requirements, I will be out of a job.

Mr Dempster: When the association had a meeting with GoSkills, the company that will develop the training schedule, I raised a concern about the training. It is proposed that drivers be trained to BTEC level, but how can someone in Eamon's position, or someone like him, comply with that? How will he be trained? That problem must be recognised now, and he must be given the same rights as other drivers to receive training, attain qualifications and better himself as a professional driver.

The association knows what those rights mean to Eamon. We asked the Department about the scenario of keeping records relating to operator's licences and were told that Eamon may be able to use a Dictaphone. That simply does not seem right: to say the least, it is a poor suggestion. Eamon, do you want to say anything else about training?

Mr Grogan: No.

Mr Dempster: I remind the Committee that Eamon has been forced to go public, as at today's meeting, on having trouble with reading and writing. That has never happened before and is happening now only because the Department has offered nothing to help drivers in Eamon's position.

A dedicated taxi-enforcement team was created as a result of a previous presentation to the Committee by the association's chairman and other members of the association. We warmly welcome the establishment of that dedicated team and praise its work. The level of compliance by taxi drivers in our industry in Belfast has never been higher. They are now starting to do their job as they are required to do, and that is positive.

Our concern is with the level of priority or commitment that the dedicated taxi-enforcement team has been given. Since the new plating system was introduced several years ago, the enforcement team has not grown at all. Provisions must be made to expand the team.

The association wants consideration to be given to the possibility of more localised enforcement throughout the Province. It believes that that would be of great benefit to the entire taxi industry. The team could respond much quicker if enforcement were more localised. The association agrees with the proposal that the DVA could use its own test-centre facilities. The Committee is aware that, at present, the dedicated enforcement team has only five officers. More officers are needed. Recently, the association was informed that one of the officers must leave the dedicated team tomorrow to work in enforcement elsewhere. That is

absolutely wrong. I want to take the opportunity to mention that because the team should be getting bigger rather than smaller. That is what the taxi industry needs.

Mr Grogan: There are over 19,000 licensed taxis in Northern Ireland. There are 11,000 plated taxis. The five members of the dedicated enforcement team must enforce regulations for the entire plated-taxis industry. As Raymond has mentioned, the licence fee went from £61.50 to £120 when the new plating system was introduced in November 2004. The association was told that £20 from the cost of each licence would be used to take on more enforcement officers. However, there has not been an increase in the number of officers. How are only four enforcement officers expected to enforce the Bill, which regulates on operators, licences, training, ensuring that meters are on, and so on, for 11,000 taxis across Northern Ireland? That is impossible.

The Chairperson: Thank you for your evidence, particularly the information on enforcement, which brings the Committee right up to speed. It is a burning issue, on which, I am sure, members will pick up.

Mr Weir: I thank you for your evidence. How many drivers and taxis does the Accessible Taxi Association NI represent in Northern Ireland?

Mr Grogan: Around 150 drivers are represented by the association.

Mr Weir: The Committee receives different evidence from different parties. Therefore, it must ensure that the weight of evidence from each party is at the right level. Does the association believe that all taxi drivers should be regulated in the same way?

Mr Grogan: No, not unless they drive vehicles that are of the standard to provide passengers with a hail-and-ride service. The association does not believe that it is acceptable to let private-hire vehicles pick up passengers on the street.

Mr Weir: The association has said that drivers of the type that it represents are the principal providers of the service to disabled passengers in Belfast. The Committee has heard evidence from representatives from IMTAC, who said that disabled people are often ripped off by taxi drivers. Is that not a strong argument for proper regulation of all taxi drivers, which would ensure, for example, that all passengers get receipts and that all journeys are metered, and so forth?

Mr Dempster: I do not believe that drivers of the type that the association represents are involved in ripping off passengers. Drivers of that type of taxi cannot overcharge: the driver must use the taximeter when he or she picks up a disabled passenger, whether the taxi has been booked privately or hailed for immediate hire on the street. Drivers cannot charge any extra; they can charge only the metered fare for

that passenger's journey. Private-hire companies are charging extra fares.

Mr Weir: I do not suggest that disabled passengers are overcharged only by the type of drivers that the association represents. However, they are the drivers of the type of taxis that are most used by disabled people. The evidence from IMTAC has been that those people have suffered from having been ripped off by taxi drivers.

Mr Dempster: They have suffered at the hands of private-hire companies. When disabled people phone to book a taxi, they are told that because of —

Mr Weir: With respect, that was not necessarily the evidence that was given. The evidence that we heard mentioned taxi drivers in general. That clearly means that although such incidents may have involved drivers of private-hire taxis at times, they also involved drivers of public-hire taxis.

I want to raise a few issues about the one-tier system. Why should Belfast be different from Banbridge, Bangor or Enniskillen? Why should there be a special rule that allows a two-tier system in Belfast but not anywhere else in Northern Ireland?

Mr Dempster: Belfast should have enjoyed proper regulation for public-hire taxis, given that those taxis are the only ones in Northern Ireland with a regulated fare structure. This service should be given the utmost chance to succeed because it is the best taxi service. If you consider other major cities in which taxis of this type operate, you will agree that it is a very good service. People sometimes do not want to book a taxi; they want one straight away. That is the service that we provide.

Mr Weir: Why should Belfast be different from anywhere else in Northern Ireland?

Mr Dempster: Belfast should be seen as a capital city. If Belfast had been given the proper regulation that it deserved, it would be in a very different situation today.

Mr Weir: You said that a number of drivers in your association operate only out of taxi ranks, and that if private firms are allowed to pick fares up on the street, it would, in one sense, mean that there would not be a level playing field. I appreciate that point. However, everyone would have the opportunity to make some form of arrangement to receive phone bookings — public-hire taxis and private-hire taxis alike — and under no circumstances would private-hire taxis be allowed to operate out of a taxi rank. Do you therefore agree that a level playing field would not exist for self-imposed reasons? There would be the same opportunities for everyone.

Mr Dempster: My understanding of the Taxis Bill is that if drivers want to accept private-hire bookings

— in other words, get work via telephone calls — they will need an operator's licence. The association's taxi drivers should be given a choice; if they want to accept such bookings, they must get an operator's licence, and, if they do not, they will not need that licence. That is the way that it is everywhere else.

Mr Weir: My point is that, to the extent that there would be a non-level playing field, it might be described as a self-imposed non-level playing field, in that your drivers would have the option to avail of those arrangements under the Bill, but some of them would simply choose not to do so.

Mr Dempster: Yes, some of them would choose not to do so. The association's taxis make up probably less than 5% of the total taxi population. When the Taxis Bill is passed, you can imagine that the other 95% will point their cars towards Belfast, because they will be allowed to lift passengers from the street there. That is where the Bill will be detrimental to us.

Mr I McCrea: I thank the witnesses for coming here today.

In every evidence session to date, witnesses have raised the issue of how enforcement will be administered. It was mentioned that, from tomorrow, there will be only four enforcement officers. Obviously, the Committee cannot answer for the Department, but I am sure that the Department could find someone else to replace the officer who is leaving — I cannot see why not, because it said that there should be five officers. You talked about the need for more enforcement officers, and I agree with you.

Mr Dempster: I think that everybody would agree with that.

Mr I McCrea: How would that work? Given that there is talk about the need for a number of extra ranks, how many officers do you realistically feel would be needed — and how many are needed even now?

Mr Dempster: Belfast certainly needs many more enforcement officers. I would like the Committee to consider the possibility of localised enforcement across the Province. As I said, DVA test centres could be used as bases for a localised enforcement team. That would mean that the enforcement teams would be much smaller and could respond more quickly. I am not in a position to state actual numbers, but I am certain that more than five officers are needed to look after Belfast. I have listened to the problems that others have experienced across the country, and it is clear that more officers are needed elsewhere, too.

In the event of localised enforcement, taxi drivers might choose not to go outside Belfast. For instance, if taxi-enforcement teams were active in Belfast, taxi drivers might choose to hunt for a job outside Belfast where they would be able to work more freely. However,

if localised enforcement were introduced, those taxi drivers who go out of Belfast illegally might run into a taxi-enforcement team in a different town. That is another reason why I feel strongly about enforcement. I do not know how many officers would be required, but they should be spread across the Province.

Mr I McCrea: Do you accept that training is necessary?

Mr Dempster: Yes.

Mr I McCrea: I understand the circumstances that you are describing, and the Department must do something in respect of the drivers who are unable to read or write. How can we ensure that all drivers are trained to the same standard?

Mr Dempster: That is correct. Eamon deserves the same rights as me as regards training and the ability to receive a qualification in passenger transport.

Mr Ford: Thank you both for attending the Committee, and I especially thank Eamon for talking about his personal circumstances. With regard to the operator's licence, Raymond, you said that there should be exemption for your type of taxi. Is that on the basis of vehicle type or because you are a sole operator?

Mr Dempster: We are entitled to exemption on both counts. It is unfair that sole operators will have to foot the bill for the operator's licence whereas drivers working for private-hire companies will not. Furthermore, the licence is not suitable for our type of taxi. Some of our immediate hires are picked up late at night when the passengers are rowdy — you can imagine the scenario. Black taxis accommodate up to seven people, so I can only imagine what would happen when the passengers are rowdy and the driver starts taking their names, addresses and destinations. That exercise has not previously been tried in black taxis.

The operator's licence is, by design, more suited to private-hire taxi operators. Belfast always had such a scheme, until its removal in the past few years. It was never enforced for private-hire operators and now, suddenly, it is being reintroduced under the guise of an operator's licence. Belfast has always had a licence for private-hire operators, but it was never regulated or enforced properly.

Mr Ford: I have two views on record keeping. First, everyone should be required to maintain proper records so that customers are not ripped off. Eamon, you are working satisfactorily even though you have problems with reading and writing, and I have sympathy with your position. Are you suggesting that a method of record keeping should be introduced that would not depend on a driver's ability to read and write, or are you suggesting that there should be an exemption for existing drivers who cannot meet those standards? How do you want the situation to be handled?

Mr Grogan: Amendments should be made to the operator's licence requirements. We have always been exempt from holding an operator's licence, and the Department said that we would continue to be exempt.

Mr Ford: Do you mean that the entire group of current public-hire drivers should be exempt?

Mr Grogan: Yes.

Mr Dempster: Especially sole operators, because that is where the disadvantages will happen.

Mr Ford: If I have sympathy with Eamon because he has difficulties with reading and writing and no sympathy with Raymond's position, and do not buy the argument for complete exemption, can anything be done to make life easier for drivers who have particular disabilities?

Mr Grogan: I hope that the Department will put something in place for people in my circumstances.

Mr Ford: Do you have any specific proposals?

Mr Grogan: No.

Mr Ford: You are, therefore, looking for appropriate measures to be put in place.

Mr Grogan: Yes.

The Chairperson: No one else has indicated a wish to speak, so I thank Mr Grogan and Mr Dempster for giving of their time today.

I welcome Mr Terence Maguire to the meeting, which will be quite informal. The Committee has received submissions, which have been placed in front of members. Please feel free to add to those submissions. You will have 10 to 15 minutes in which to make a presentation. Members will ask questions for the purpose of clarity and will, perhaps, invite you to expand on the points that you have raised.

Mr Terence Maguire (Accessible Taxi Association NI): Thank you, Mr Chairman. I represent around 15 public-hire taxi drivers. Belfast public-hire taxi drivers ply for hire within a five-mile radius of Castle Junction. Public-hire taxis are the only taxis that are allowed to be hailed or to sit in ranks.

Currently, a hard core of illegal taxis work within that five-mile radius, and that presents a big problem. The Department of the Environment is not addressing that matter. It is not that the Department cannot do anything about it — the taxi drivers are known to the Department — but it seems incapable of enforcing current legislation. I would like the Department to make a better effort to enforce the legislation.

The Department's team of five enforcement officers has been reduced to four. It is impossible for a team of that size to enforce regulations in Belfast, never mind Northern Ireland, and I am worried about how it will enforce the proposed legislation. I suggest that

the five-mile zone in which we operate be reduced to a two-mile zone if an adequate number of taxi ranks could be made available in Belfast city centre.

I suggest that there are plenty of public- and private-hire taxis in the whole of Northern Ireland except, perhaps, during the early hours of Sunday morning between the hours of 1.00 am and 3.00 am. At all other times, lots of public- and private-hire taxis are available. Mr Ford was driven around Belfast one night by a couple of public-hire taxi drivers, and he saw the number of taxis that were parked and waiting for work.

Permitting people to hail private-hire taxis in the street will create a problem for taxi depots. While private-hire cars are on the streets, lifting people willy-nilly, their depots will be receiving phone calls from other people who are trying to book taxis — and those taxis will not be available. By allowing that situation to happen, the number of taxis on the street will not be increased — there will still be the same number of taxis on the street. However, a different problem may be created whereby the depots will not have enough cars, at times, to cover work because their drivers will be out on the streets trying to pick up fares.

The one-tier system, which is under discussion today, is unfair to public-hire taxi drivers who work in Belfast. Private-hire taxi drivers will be working from the depots when the depots are busy, and they will be working on the streets when the streets are busy. By contrast, my colleagues and I will be sitting at taxi ranks whether they are busy or not. We do not take phone calls. Therefore, private-hire taxi drivers will have more opportunity to get work.

A taxi-rank system should be put in place around Belfast. At present, there are virtually no taxi ranks in Belfast. Last week, Barbara Fleming from IMTAC talked about access to public-hire taxis. There is virtually no access to public-hire taxis in Belfast for disabled people. Currently, there is taxi rank at the City Hall, and another outside Great Northern Mall, beside the Europa Hotel. The only way that a disabled person can get a public-hire taxi is if they go to one of those ranks. Otherwise they have to phone the private-hire depots, which is when the rip-off begins. When the major private-hire companies in Belfast carry disabled people in their cars, the minimum fare is £8 — that is before the engine is turned on. By comparison, the minimum fare for a public-hire taxi is £2.70. Private-hire companies are discriminating against disabled people.

Many private-hire depots do not want work from disabled people. We can talk until we are blue in the face about how many private-hire taxis should be wheelchair-accessible, but if disabled people ring depots for taxis, nine times out of 10 they will be told that there are none available — or that all the taxis

with wheelchair access are fully booked or are off the road. Most of the depots do not want fares from disabled people. However, all public-hire taxis in Belfast are wheelchair-accessible, and if there were sufficient taxi ranks around the town, disabled people would have no problem getting wheelchair-accessible taxis.

That brings me on to another point: all taxis in Northern Ireland should be wheelchair-accessible. That could be achieved in a three-year period and would mean that disabled people could order taxis without mentioning their disabilities. Disabled people are being discriminated against, because if they phone for a taxi, they have to specify that they are disabled, which would not be the case if every taxi were wheelchair-accessible.

Finally, control and enforcement of the taxi industry should be transferred from the Department to local councils. Local councils would be able to take a more hands-on approach and enforce penalties for any misdemeanours, which would make taxi depots and taxi drivers more accountable. That transfer could be financed by revenue from the fees that all taxi drivers pay for PSV tests, and the fees for the proposed licence for operators. The councils could also charge private-hire depots for an operator's licence. That would enable councils to be more hands-on in their approach. The Department has been in charge of the taxi industry for 30 years, which is why we are in the current mess. The Department does not seem to be capable of looking after the taxi industry.

The Chairperson: Thank you very much, Mr Maguire; you have raised major issues about enforcement. The Committee needs to hear from the Department about why there has been a downgrade in the number of enforcement officers available. The Committee needs to seek clarity from the Department on that immediate problem, irrespective of what may happen as regards the legislation.

Mr Gardiner: Thank you for your presentation, Mr Maguire. You stated that private-hire depots are discriminating against disabled people by telling them that no wheelchair-accessible taxis are available, or that they are booked or out of order. I wonder if, as a Committee, we could have that allegation investigated. If a taxi company is discriminating against disabled people, the Committee wants to know about it. Its licence should be withdrawn. People with disabilities should be treated equally. I would like that matter investigated, Chairman.

Mr Maguire: That is why I brought up the idea of all taxis being wheelchair-accessible, because that type of situation would not occur.

The Chairperson: Mr Gardiner, the Committee can return to that issue when it has heard all the other questions.

Mr Boylan: Thank you for the presentation. I was also concerned about the allegation of discrimination. You have said that all taxis should be wheelchair-accessible. In rural areas, many taxi drivers make a living by driving saloon cars. You say that private-hire depots are ignoring disabled people.

Mr Maguire: I am suggesting that disabled people who phone for taxis are being ignored. I know that that is the case from past experience of working in depots.

Mr Boylan: You are calling for more taxi ranks. However, if there were more ranks, and more taxi drivers moved in, would it not be fair to say that they would still be doing the same thing?

Mr Maguire: No.

Mr Boylan: It may not be a solution; I am only making a suggestion.

Mr Maguire: If we had more taxi ranks in Belfast, a disabled person could come along to one of those ranks. There are only two taxi ranks in Belfast at the moment.

Mr Boylan: Surely a disabled person should go to whatever rank is available.

Mr Maguire: Yes, if there were more of them. In that event, there would be greater choice.

Mr Boylan: Are they not entitled to go to the ranks that are already there?

Mr Maguire: Yes. However, if a disabled person is at the Wellington Park Hotel, the nearest taxi rank is at the Europa Hotel.

Mr Boylan: That is something that can be looked at later. However, I feel strongly that disabled people should be able to access taxi ranks.

You referred to taxi drivers being out doing other work and not being available from the depots. Would you clarify that please?

Mr Maguire: Private-hire taxi drivers who are permitted to lift fares in the street could get hailed once the city centre starts to get busy on a Saturday night. That would mean that their depot would be short of cars. The depot would not be able to take phone bookings because no drivers would be available; they would all be out on the street trying to get flagged down.

Mr Boylan: Having one regulation for an operator's licence would curb that behaviour.

Mr Maguire: In what way?

Mr Boylan: There has talk of one-tier and two-tier systems? What is your view on that? Should there be a law that allows Belfast drivers to lift fares in the street but requires people in rural areas to phone for accessible taxis?

Mr Maguire: There are public-hire taxis and taxi ranks outside Belfast. Drivers do not have to be in Belfast to sit in a taxi rank.

Mr Boylan: Yes, but you are talking specifically about taxi ranks.

Mr Maguire: I am speaking as a public-hire taxi driver, and I am suggesting that we need more taxi ranks. However, you are asking me about drivers who work in depots.

Mr Boylan: You are saying that you want the taxi ranks; but people still want to use taxis outside taxi ranks. Is that correct?

Mr Maguire: We need taxi ranks, and we need —

Mr Boylan: I am only asking you the question. The reason that I am asking is so that the Committee can bring forward your suggestions at the overview. You specifically said that there may not be enough taxi drivers at the ranks —

Mr Maguire: In the depots.

Mr Boylan: Sorry; in the depots.

Mr Maguire: If I am working in a depot and my depot is quiet, and if Belfast city centre is busy, I will go into the city centre and try to earn some money. If people then phone my depot, I will not be there, and the depot will find it hard to get its work covered. This legislation will not put more taxis on the street; it will shift the problem from one area to another.

Mr Boylan: So with that in mind, are you saying that the number of taxi drivers should be restricted? What happens if new people come in?

Mr Maguire: I did not say that.

Mr Boylan: I am only asking the question.

Mr Maguire: That is not for me to say.

Mr Boylan: That would be a lead-on question.

Mr Maguire: I think that there are plenty of taxis. Personally, I would like to see a cap put on the number of taxis. As I said earlier, there are plenty of taxis for everybody except for about two hours on a Saturday night, and that is when private-hire taxis will flood the city centre, leaving their depots exposed.

Mr Weir: With regard to leaving depots exposed at peak times — especially on Saturday nights — when private-hire taxi drivers head in the direction of the city centre, and I appreciate that there is likely to be a lot of cars going in that direction, surely what is more likely to happen is that a depot would hire in more drivers for those peak periods.

Mr Maguire: The depots could not do that. They could not hire people to work for only two hours on a Saturday night.

Mr Weir: Why not? Surely they would earn money; they are providing a service.

Mr Maguire: If you were a taxi driver, would you work for two hours a week?

Mr Weir: Presumably, any business that experiences a massive increase in trade at a particular time will bring in more people to cover that period.

Mr Maguire: What would taxi companies do with those people for the rest of the time — tell them to go home without any wages?

Mr Weir: Presumably, not every driver works 40 hours a week. Some drivers must work flexibly or part-time.

Mr Maguire: There is no work for those people for the rest of the week.

Mr Weir: Surely, as in any profession, some people work part-time and do something else for the rest of the time.

Mr Maguire: With respect, Mr Weir, you are stretching the point by suggesting that people would work for just two hours at peak time on a Saturday night. Let us be realistic.

Mr Weir: I appreciate that, but the reality is —

The Chairperson: We are veering from the legislation into the management of private companies.

Mr Weir: To be fair, the witness raised that point to illustrate a repercussion of the proposed legislation. I am suggesting that the problem will not be as bad as he fears.

I have two further questions. On the subject of increased accessibility for disabled people, you mentioned concerns about the potential for disabled people to be ripped off by private-hire taxis. The Committee has heard evidence on that issue that suggests that disabled people have been ripped off by a minority of drivers in the system as a whole, not only by one section of it.

Mr Maguire: I agree. It is not just one section. The disabled girl, Barbara Fleming, who gave evidence to this Committee last week, said that the taxi driver from the depot that she normally uses charged her £35 for a journey from the city centre to upper Malone, which left her with no money to get home. She should be asked to name the company responsible for that. Her friend was charged £70 for a journey of a quarter of a mile. Those are people who —

Mr Weir: The problems appear to be across the board. May I ask you —

Mr Maguire: Can something not be done about that?

The Chairperson: Again, we are veering into investigations.

Mr Weir: You said that the taxi-rank system works fairly well in areas outside Belfast. Why do you believe that a two-mile radius —

Mr Maguire: If we had more ranks.

Mr Weir: OK, assuming that there were more ranks, why do you believe that a special system, which does not apply anywhere else in Northern Ireland, should operate within a two-mile radius of Belfast city centre? Why should it have a different system?

Mr Maguire: Do you mean that public-hire taxis in Belfast would be the only taxis allowed to —

Mr Weir: Why do you believe that there should be a two-tier system in the centre of Belfast, when such a system does not apply anywhere else in the Province?

Mr Maguire: In comparison with, say, Banbridge, on a Thursday night, Belfast is much busier than any of the outlying areas. In Belfast, there is a need to have 450 taxis waiting for people to jump into to go home. In Banbridge or Coleraine, there is not.

Mr Weir: If there is that volume of business in Belfast, and I agree that, on any Thursday night, there is —

Mr Maguire: That is the difference between Belfast and other areas.

Mr Weir: Hold on. Given that volume of business, would it not still be there if there were a one-tier system and anyone could pick up from the streets?

Mr Maguire: There would still be the same number of people; however, as has been said, the number of taxis would not increase. Currently, people are being picked up illegally, by illegal taxi drivers. The DOE is doing nothing about that. In order to turn its back and wash its hands of the problem, the DOE intends to legalise the illegal drivers. That is the Department's solution.

The Chairperson: Thank you, Mr Maguire, for bringing your practical experience to the Committee, and for your time.

I welcome Mr William Black and thank you for giving the Committee your time. The Committee already has your written submission and, as you have probably gathered, the meeting is pretty informal and relaxed, so please be at ease. If you wish to highlight particular points of your submission to the Committee, please do so, and the members will ask for clarification or further details, as required.

Mr William Black (International Airport Taxi Co Ltd): Thank you, Mr Chairman. My name is William Black, and I have been in the taxi industry for just over 25 years, during which time there have been many changes. Fifteen minutes is not long, and I do not want to waste time, so I will start with the matter of the operator's licence.

The operator's licence was introduced on the mainland so that there would be some sort of accountability for private-hire vehicles, which they call minicabs. As far as I am aware, hackney cabs did not need an operator's licence.

The Department of the Environment was informed about a case on the mainland in which a council had decided that hackney cabs working for a private-hire company should require an operator's licence. The case went to the High Court, which ruled that a hackney cab did not need an operator's licence. Brentwood Borough Council took the case to the Court of Appeal, but the previous ruling was upheld.

I have been in touch with the Department, which has sent me some material stating that that case falls under a particular category. The bottom line is that the High Court and the Court of Appeal stated that a hackney cab does not need an operator's licence — that sector is already regulated.

The Department intended to allow certain exclusions from the operator's licence clause, which would include Belfast public-hire cabs. However, the proposed legislation was changed, because when all stakeholders and other interested parties were asked about the operator's licence, the response was that all taxis should be covered by an operator's licence. That goes back to consultations in 2005 and 2006.

There are 512 public-hire hackney cabs working in Belfast, according to information supplied by the DOE licensing office on 18 September 2007. There are 7,841 public-hire vehicles, 2,782 private-hire vehicles and 272 taxi buses outside Belfast. If we compare the 512 drivers in the Belfast public-hire sector with the 10,895 other drivers in various categories, who are, at present, unregulated, it is safe to assume that the Belfast public-hire cabs will not have any real opportunity to be exempted from the operator's licence, because the other sectors that never had to pay before will now have to do so.

Hackney cabs are still regulated by the Department, but they will fall foul of the regulations through sheer numbers. The Belfast public-hire cab must conform to certain standards and can cost anything up to £35,000. That is a massive price difference in comparison with the average price of £10,000 to £14,000 for a private-hire vehicle.

The Department was a bit clever in changing the proposed legislation in July 2006 to state that the Belfast hackney cab and all other taxis, private or otherwise, would be classed as a taxi. I have that document with me. The minutes of evidence that were presented to the Committee on 31 May 2007 state:

“Northern Ireland is the only part of the UK where what we call a ‘private-hire taxi’ is allowed to be known as a taxi. Everywhere else in the UK, they are called private-hire vehicles”.

The evidence from DOE officials goes on to state:

“Under many licensing authorities in the rest of the UK, private-hire vehicles are prohibited from carrying roof signs because that makes them look like public-hire taxis.”

The Department decided to call every type of vehicle a taxi. That is a somewhat confusing decision. If that is the Department's idea of progress, I find it totally amusing.

My next point concerns the proposal to allow taxis that are not accessible to wheelchairs to pick up passengers in Belfast. That proposal, in my opinion and those of many others, will destroy Belfast public-hire cabs. Some 512 hackney cabs operate in Belfast, but not all of them work at peak times, as the Department of the Environment told the Committee on 31 May 2007. However, I am disappointed that the minutes of evidence do not record the fact that the two largest companies working in Belfast have more than 500 drivers who are available for work, but they also do not have a full complement of taxis working during peak periods.

The Department went on to state that vehicles licensed for private hire, or public hire outside Belfast, pick up much of that demand illegally. That is true, but one of the main reasons for so much illegal “p-uing”, as we call it, is that drivers would rather work off the street so that they can choose whatever work they want. If they work for a depot, they have to take the job that is allocated to them, but if people phone a taxi depot during peak periods and are told that there is a two-hour waiting time, they will go out and try to hail a taxi illegally on the street. If those taxis worked for depots, it would cut down on the number of people trying to hail a taxi illegally on the street. That is a fact.

On Friday and Saturday nights between 1.00 am and 3.00 am, taxi demand reaches saturation point, not only in Belfast but all over the UK. That is six hours out of 160 hours a week — 3.57% — during which accessible taxis are still working. That seems to be an unjustified reason for the drastic changes that the Department has proposed. In evidence to the Committee, the Department said that people do not know or care about differences in taxi plating — they just want to get home. It appears that departmental officials are saying that if enough people are prepared to break the law, the law will be changed to suit them.

The Department carried out an impact assessment, which states that allowing other taxis to pick up on the street would have no detrimental effect, financially or otherwise, on any part of the industry. For those members who know central Belfast, take the scenario of someone walking out of Fountain Street onto Wellington Place, he or she can obtain a taxi by phoning for one, walking to the nearest taxi rank or hailing a hackney cab. If there is permission for private-hire taxis to pick up on the street, people will

not need to walk to the taxi rank, and those taxis will sit in the ranks for longer.

We have been told that the Belfast public-hire cab is an integral part of the public transport system, but taking away part of my business and telling me that it will not affect me is ludicrous. Of course it will affect me, because this will happen all over Belfast. Public-hire taxis in Belfast need protection to maintain the current system and the facilities that they provide.

The Department says that it wants more accessible taxis operating throughout Northern Ireland. If Belfast does not keep the two-tier system, there will be fewer accessible taxis available for immediate hire. I have spoken to many drivers in my sector of the business, and they have stated that if they were to lose a percentage of their business in such a way, they would be better going into private hire, taking into consideration the cost of the cab, the extra charge of £25 for having a PSV-accessible vehicle just for the test, as well as the loss of business. The business would be unsustainable and drivers could not cope with it. There are not many taxi ranks around Belfast, but they are all full, considering that they are 24-hour ranks operating successfully during daylight hours. What with National Car Parks (NCP), the PSNI and the enforcement officers, drivers cannot get into the ranks. Are drivers supposed to drive round the city in the hope that they will eventually get in?

The enforcement team working in the taxi industry does a remarkable job, considering that there are only five officers who cover the whole of Northern Ireland. I understand that we are about to lose one of our enforcement officers. I say “our” enforcement officers, because I believe that they have done a great job.

Recently, I discovered which enforcement officer was being moved. I suggest that the Committee for the Environment approach the enforcement office and stop that transfer, if it has the power to do so. Losing enforcement personnel who know their job in order to bring in new personnel is a waste of money and manpower. We need those personnel.

The Committee has been informed that there are 21 officers who may be called on to carry out sting operations, if requested. Can the Department tell the Committee how many times since the taxi plates were introduced in 2004 more than five enforcement officers have been used in an operation? In November 2004, changes were made to legislation that were aimed at substantially reducing the number of illegal taxis in order to minimise the risk to the travelling public. Legislation is only as good as its enforcement.

When the plates were introduced, the fee was increased to up to £120 a cab; currently, the fee is £126.50. At the time of the increase, we were informed that the Department would take £20 from each

application to use for enforcement. There were 9,000 taxis in 2004, and that number has increased to 11,470. A levy of £20 per person adds up to a lot of money, so why has there not been an increase in enforcement? That is more than £750,000. Where is that money going?

The money that has gone into enforcement seems like a large amount, although, after it is spread out, perhaps it is not. In either case, five officers is not enough. I would like the Department to explain where the money has gone, and whether the other 16 officers have been called on to become involved in sting operations at any time in the past three years. If they have, I do not think that that would have cost £750,000.

At present, a two-tier system protects the Belfast public-hire cab sector. To change to a one-tier system would devastate that part of the industry. I refer to the Committee’s minutes of evidence of 31 May 2007, when departmental officials stated:

“When we asked directly whether respondents would prefer a one-tier system or a two-tier system, the two-tier system was narrowly preferred if the alternative was that all taxis — public hire and private hire — must be accessible.”

The costs of making those taxis accessible would be astronomical. The vast majority did not want to make their vehicles accessible, and the simple reason was cost. I refer members to the same minutes of evidence:

“When the Department examined the outcome of the policy consultation, it set out to revise its key proposals. Respondents were asked: ‘Do you agree with the proposal to keep a revised two-tier system as described?’

Respondents came down narrowly on the side of a two-tier licensing system. However, they also stated that they wanted all taxis to be able to pick up fares, have roof signs, work to regulated fares and have taximeters.”

That sounded like a one-tier system to the Department, which decided to push for a one-tier system.

Any licensed taxi that has a meter must have it sealed by the Department, regardless of whether the taxi is private hire, public hire outside Belfast or Belfast public hire. Currently, the only vehicles that have had their meters tested and sealed are Belfast public-hire taxis. Private-hire and public-hire vehicles outside Belfast have never been tested or sealed. The Department’s explanation is that it does not have the manpower. That is not my problem.

The question is: a one-tier or a two-tier system? In my opinion, by virtue of the numbers involved, the Belfast public-hire cab is becoming a scapegoat. If the Belfast public-hire cab, as we know it, is to survive, the two-tier system within a five-mile radius of Belfast must be retained. That is paramount to its survival. If the Belfast public-hire cab is to be part of an integrated public transport system, the Department must keep the two-tier system for Belfast.

In any review, all parties involved should gain something, but if certain amendments are not made to these proposals, public-hire cabs in Belfast will lose substantially. There will be loss of revenue, because no one is going to pay an extra £25 for a cab simply because it is wheelchair accessible. In addition to that, the cultural identity of the hackney, or black, cab, will be lost. There will also be charges: approximately £242 for receipt printers; £400 to install meters in taxis that do not already have them; a separate fee for calibrating those meters; the cost of courses up to, possibly, NVQ level; the cost of an operator's licence, which has not even been discussed; the paperwork that must be kept to comply with "due diligence"; and the cost of renewal of the licence. A separate fee for processing applications for licences is currently £75, and that includes a repute check. Under the new proposals, an extra £30 will be added for the repute check, which will bring the licence fee up to £105. For new applicants, a licence will cost £110, plus a £30 repute check.

There will also be a reduction in the number of years that a licence covers. A five-year licence now costs £75, and over a period of 15 years, taxi drivers would buy three licences, which would cost £225. However, if the period of the licence is going to be reduced to three years, the cost, over a period of 15 years, would be £375 — an increase of £150.

The PSV test costs £126.50, and a retest costs £19.50. There has been talk about splitting the categories of PSV testing; therefore, there could be a charge of £40 for documentation, £30 for the meter test and £40 for the mechanical test, and so forth. Currently, if a taxi fails in any, or all, of those categories, the cost of the retest is £19.50, but that would not be the case if the categories were split — it may be £30 for the meter test and £25 for the mechanical test. That is another increase that taxi drivers would have to pay. When a PSV test is booked, a date and a time are given, but if I am told that my test can only be undertaken on a Friday evening at 7.00 pm, I have to pay extra.

At present, when a taxi is being sold, the new owner receives a V36 on the vehicle, which means that the seller takes the taxi to the PSV centre for a quick check for which there is no charge. However, that practice will stop, because the Department is seeking powers to charge for processing the change of ownership, registration and the type of hire and plates.

The Chairperson: I am conscious of the time.

Mr Black: I have just one more matter to mention.

A one-tier system will result, in all probability, in a substantial reduction in the number of accessible taxis available for people with different types of disabilities. I was distressed to hear a number of respondents

saying that people with disabilities have enough transport supplied for them and that there is no need for more accessible taxis. It is disgraceful that anyone in public or private hire would say that. People with disabilities have the same right to have transportation as any other person, and there is already legislation, which states that overcharging someone with a disability will result in the loss of a licence. I would like to see that legislation enforced.

The Chairperson: Thank you very much. You put your evidence very comprehensively.

Mr Weir: Thank you for your evidence, Mr Black. I apologise to the Chairperson — I will have to leave in a few minutes to attend a briefing.

I agree with the witness. What was said about enforcement is valid, and that point has been made by a number of witnesses. There is a need for greater levels of enforcement and for more resources. It is nonsense to suggest that the measures will not have any grave detrimental impact on the public-hire sector in Belfast. They will clearly have some effect in that some business will be shifted away from the public-hire sector into the private-hire sector.

I will play devil's advocate. Mr Black, you mentioned that, already, many taxis are breaking the regulations and picking people up from the street when they should not. You also said that the public does not care who picks them up, as long as they get home. How do you respond to the suggestion that what the legislation proposes simply reflects the economic reality on the ground? That is how things are operating in practice, and the Department is trying to regulate what is happening.

Mr Black: Taxis are operating illegally in Belfast. Private-hire taxis are doing that outside Belfast too, so it is not just in Belfast that that happens.

The regulations exist. When people apply for a plate, they can choose what type of plate they want and in what type of business they want to work. The number of taxis that are picking up illegally is clear to anyone who travels around Belfast at peak periods. Those taxis should be working from their depots. However, when a customer telephones a depot, he or she may be told that there is a two-hour wait. If that were not so, taxi drivers would not have to go out and do something illegal. Drivers would prefer to be able to pick up on the streets and turn away business that does not suit them. When a customer wants to go to Bangor late at night, the driver might then charge him or her £40.

Mr Weir: I would have thought that taxi drivers would have considered such an opportunity a gold mine.

Mr Black: That is the point. When drivers choose a licence, they should abide by its rules. If drivers do not

like it, they should get out of that business. I want to work in one type of business, and I buy a type of vehicle that complies with that. However, someone else with the same licence might decide that: the depot is not that busy; a customer will give him a job that will earn him £3; or he has to travel from the Hollywood Road to Ballysillan to pick up his next fare. Those things happen regularly. Those are the reasons that taxi drivers in private-hire companies — and the public-hire sector — come in, pick up people from the street and refuse whatever work they do not want.

Mr Boylan: Thank you for your presentation. With respect to the point about taxis working from the depot, did you have an opportunity to submit anything during the consultation period?

Mr Black: I did.

Mr Boylan: I would like to hear your thoughts on enforcement.

Mr Black: Our enforcement team — I am sorry — I refer to it as “our enforcement team” because I believe that enforcement is necessary for the industry and for my benefit. That team has operated since 2004, when the plates were introduced, but, with five officers, it is not nearly adequate. However, they do an excellent job.

I was disgusted to hear this morning that we were losing an officer. When I found out which officer we were losing, I was even more upset. The person concerned is not merely good at the job, the person is excellent at it. In my opinion, that is why that person has been removed. If I can get enough people to phone up and complain about someone, it will not matter whether that person is innocent or guilty — rather than take the heat, that person will be swept under the carpet. It is as simple as that. That is what is happening. The enforcement officer has been moved —

The Chairperson: I am sorry. The Committee cannot get into that issue.

Mr Black: The Committee should get into it.

The Chairperson: I am sorry. That is a matter for the Department. We will raise the general question of enforcement with the Department. Specific issues about staffing are not the Committee’s responsibility. The Committee is here to examine the legislation.

Mr Black: Enforcement is not good enough. At £20 a driver going towards the costs of enforcement, over the past three years, where has the money been spent? I cannot get an answer to that question.

Mr Ford: In your written submission, you referred to the need to increase the number of accessible vehicles.

What would you see as an appropriate proportion of fully accessible vehicles for any operator to have,

if we are moving in the direction that the legislation proposes?

Mr Black: The proposed legislation is for each depot to have a percentage of accessible vehicles.

Mr Ford: What would your percentage be in that context?

Mr Black: My percentage, for private-hire vehicles, would be around 10%. That begs the question of who has the right to give you a job or make you buy an accessible taxi. If the law were to be that 10% of taxis had to be accessible, for example, and another gentleman and I were to buy two Mercedes and both of us wanted to work for the same company, we could not both be employed if that left the company with less than 10% of its fleet being accessible taxis. Who gives an owner, or anyone else, the right to give someone a job on the condition that they have a wheelchair-accessible vehicle? The Department would call that a grey area.

The Chairperson: Thank you for your time, Mr Black; we covered a lot of ground today.

Mr Black: Thank you.

The Chairperson: Are all of the representatives from the International Airport Taxi Co here?

Mr James McVeigh (International Airport Taxi Co Ltd): I apologise for Mr Kennedy, who has been unable to make the meeting.

The Chairperson: So there are just the two of you? Thank you for being with us. As you can see, the format is informal, but within certain guidelines. Our focus is on the Taxis Bill that is in front of us, and we already have a submission from you. It is not necessary to go over the whole submission again, but if there are particular aspects of it that you wish to add to, please do so. Committee members will then seek clarity or ask for further detail.

Mr McVeigh: First of all, Chairman, I want to thank the Committee for the opportunity to come here. I have listened with great interest this morning. This has been much talked about in the taxi industry.

Can I say, as someone who moved to Randalstown 10 years ago, that there is life outside Belfast? I would like to point out that there is a three-tier system in operation, not a two-tier system. There are two tiers in Belfast, and we have no problem with that. Neither has any driver who works in a country town or village. The third tier is public and private. It provides people who live in a small village, whether in County Fermanagh, County Down, County Armagh, or even somewhere such as Bangor, with the opportunity to expand their business. They can work off a taxi rank, through a depot, or by mobile phone, as most people do. We work outside Belfast at the international airport, and

we feel that there is a need to retain that third tier, which no one seems to have mentioned. It is private hire with limited public access, which is represented by white plates.

I will not go too deeply into my second point, as it has already been covered and I am conscious of the time — the overheads that will arise from the legislation. As the gentlemen before me said, no one has any idea how much the operator's licence will cost. There is talk about different structures for sole traders, but any taxi drivers that I know in Belfast, Randalstown, Antrim or wherever are sole traders. They may, at certain times, work through a depot, they may work off a taxi rank; but they are sole traders.

If they work from a depot, they pay a fee. However, they are responsible for their own vehicle, their insurance, the running costs of the vehicle, and, if they are out of work — tough. The introduction of an operator's licence will mean that all drivers will have to pay for it; depot owners will not necessarily pay for it because they can simply offload the costs.

An increase in test fees for the cars will be introduced. The fee is currently £126.50. I recently changed my vehicle, and I was fortunate that the bank did not own the one that I had been driving. I could not get a test date for my new car, which resulted in it having to sit in the car showroom for four weeks. When I eventually did get a test date, I had to torture the people in Corporation Street to get the plates ready.

Officially, I could not drive my new vehicle. Had I had an accident while driving my old car, or if the engine had blown, it would not have been worth while getting it fixed. Therefore, technically, I would have been out of work for approximately six to eight weeks. I would have had no earning power, which would have been bad for me as I have a mortgage, and so on. Why should I pay £126.50, when the cost for a coach that is capable of carrying 75 passengers is virtually half of that? I do not think that that is fair.

The fee for a taxi licence is increasing again. At present, after a five-year period, taxi drivers have to reapply for a licence. The Department, because of business and management problems, advises people to apply six weeks prior to the end of that five-year period. I, like most of the drivers, apply at least three months ahead. Those of us who are over the age of 45 have to complete a medical, and that too has to be paid for. Furthermore, we have to pay for a taxi test, on top of which will now be added the cost of the operator's licence. We feel that that is unfair, because we get nothing in return.

There is also talk that all taxis that work off a rank system will have to be wheelchair accessible. As a small private company, we feel that that will put us at a distinct disadvantage. Working at Belfast International

Airport, we offer an across-the-board taxi service. Foreign dignitaries or businessmen can book an executive car in advance of their arrival. If they arrive and have not booked one — maybe their secretary has made a mistake — we can still supply one.

We also supply wheelchair-accessible vehicles, and we do not charge any extra for those facilities. If people book those vehicles in advance, they pay the standard rate. I agree with the chaps who represented Belfast public-hire taxis that that should not be an issue.

We also run a general taxi service, which enables anyone to get a taxi at their convenience. All of our customers are supplied with written receipts, which are printed with our company logo, and our company is registered with Companies Registry. The driver's number is at the top of the receipt, and the office address is included in case anyone wishes to make a complaint. We have set fares. We feel that we meet quite a lot of the Department's criteria, and some of the legislation.

For two hours on a Friday night, and two hours on a Saturday night, Belfast taxi drivers are under pressure. We may be wrong, but we feel that it is unfair for taxi drivers who work in small country towns, such as Magherafelt, Banbridge, Bangor, Holywood — where my colleague comes from — and Randalstown, to be classed the same as those who work in Belfast. Given that there is a system that works in the country areas, why fix what is not broken?

Making all taxi drivers drive wheelchair-accessible vehicles would affect small country areas — the villages and towns. The information note that accompanied The Draft Taxis (Northern Ireland) Order 2006 stated:

“Accessible taxis will, in due course, become the only taxis that will be allowed to stand for hire in taxi ranks”.

It goes on to clarify the locations at which they can do so:

“(airports, ferry terminals and railway stations and the like) but also areas such as shopping centres and entertainment complexes.”

Does that mean, for example, that if taxi drivers want to sit outside the Buttercrane shopping centre in Newry, they will need wheelchair-accessible vehicles? Does every person who comes out of the Buttercrane centre want a wheelchair-accessible vehicle? The answer is no.

In the past four years, we have had four — or possibly five — requests for wheelchair-accessible vehicles at the airport. I will give one example. One Saturday night when we were under severe pressure, a passenger on a diverted British Midland flight from London wanted a wheelchair-accessible vehicle, and one of our drivers was instructed to do the job. The flight was delayed, and the driver had to wait for 30

minutes for the lady to come out. He got the ramps out and pushed the wheelchair into the back of the vehicle, and the lady then got out of the wheelchair and walked to the front seat of the car. Those things happen.

I am not saying that disabled people are not entitled to a service: they are. However, as Dr McCrea said to Stephen Peover when they met in Clarence Court, the legislation must be examined on a broader scale, and we must examine what all our customers need. We agreed that that should happen. A blanket decision cannot be taken based on what is happening in Belfast. The problems in Belfast do not necessarily equate to those in country areas. I think that the country is a brilliant place to live; it is a bit more laid-back and, people are more easy-going Belfast is very fast and is becoming more like Dublin, suffering similar traffic problems. My daughter said that she has banged on the windows of taxis outside the Bot on more than one Friday night and asked to be taken up the road, but the drivers do not want to know.

Those are my views on the plating system. People in country areas should still have the choice of using the white plates.

Mr Brian Press (International Airport Taxi Co Ltd): To verify what Jim McVeigh said, we try to work to passenger needs at Belfast International Airport. We find that, as Mr Gardiner said, there is a demand for wheelchair-friendly vehicles. However, we have found that that percentage is not very high, as Jim said. As a company, we try our best to keep around 20% of our vehicles that are on the rank wheelchair-friendly to ensure that disabled people will be catered for. We have found that to work quite well, and we have not had any problems. Our franchise arrangement at the airport states that we cannot keep a wheelchair-bound person waiting for more than 20 minutes. We have never exceeded that time; in fact, we have never come close.

I sometimes wonder whether the people who use the industry — passengers — have been consulted about their needs. Has the Committee met with the Consumer Council or similar agencies? We find that a lot of business people use the back of the taxi as an office. They prefer to travel in saloon cars, and we also use those cars for tourists who have large amounts of luggage. We have Mercedes cars for executives and celebrities, and around 20% of our vehicles are wheelchair-friendly. Our company tries to cater for all needs.

From a business perspective, we are concerned that if people come out of the airport and cannot get the vehicle of their choice, they will phone the local private-hire companies. Consequently, our company and our drivers will suffer a loss of income. At that point, the question would be: are we needed? That scenario is occurring quite often at the George Best Belfast City Airport, which is now completely

wheelchair-friendly. You will see private-hire taxis waiting outside in large numbers, but people will phone for a saloon car rather than travel in a wheelchair-friendly vehicle. Our business could be adversely affected while, at the same time, passenger interests are not being considered.

Ours is a country depot, and, therefore, the Belfast taxi drivers' argument does not really affect us as such. However, we understand their concerns. The enforcement issue needs to be looked into. There should be a more robust complaints procedure as regards overcharging. We know that overcharging happens and, undoubtedly, there are still cowboys in the industry. We have a very strict disciplinary code. Any driver who overcharges a customer is dismissed — and there is no going back on that. Our disciplinary code works well and perhaps could be considered by the industry. By adopting a better complaints procedure and stricter disciplinary codes, the industry could be cleaned up.

Our main concern is that the one-tier system — which some companies are arguing for — would be unfeasible in a country location such as Aldergrove. Why change something that has worked well over the years?

Mr McVeigh: Recently, our company went to the expense of developing a website. It will be activated in the next two or three months. Aer Lingus has now come to the airport, which has created a lot of problems down below.

The Chairperson: You will be the beneficiaries of that.

Mr McVeigh: We had similar problems here when British Airways and British Midland pulled out. We will be advertising an across-the-board service on our website, and undoubtedly, we will be expecting a lot of tourists to visit next year. We are a small company, and we are all shareholders. No one makes any money out of it. We are not like the big guys.

The Chairperson: Those of us from rural areas would regard Belfast International Airport as a cosmopolitan area — I have to point that out to you. However, on a serious note; while we may be more able to present our views, nonetheless the rights and entitlements that we expect as public representatives should be exactly the same as those of our cousins in urban areas such as Belfast. That is a point well worth making. In your submission you referred to exemptions for the airport area — is that a public area?

Mr McVeigh: I am not an expert on the legal aspects. The airport is on private ground, but there is public access, and there are certain criteria to be followed. For example, I cannot access the taxi park unless I have a gizmo in the car. We also have to be security-cleared by the Department and checked out by

the airport police. Therefore, not just anyone can access the taxi park. Each taxi driver must display the airport badge and must have a transponder in his vehicle before he can access the taxi parking area.

Mr Ford: Following the eulogy for Randalstown and Aldergrove, I must declare an interest as MLA for South Antrim. Mr McVeigh raised interesting comments about the status of the international airport, given that it is privately owned, but semi-public — but the Chairperson has followed up on those comments. Have you had discussions with the Department about its attitude to the taxi rank at the airport?

Mr McVeigh: I met the MP for South Antrim, the Rev William McCrea, who was interested in that issue. He and I had a meeting with Mr Peover — the permanent secretary in the Department of the Environment — and I subsequently received a letter from Bill Lavery. That letter stated:

“As was advised in the course of the meeting, the Taxis Bill, subject to the approval of the Northern Ireland Assembly, would give the Department enabling powers to introduce regulations which may require certain classes of taxi to meet accessibility standards. These regulations would be subject to public consultation and also the approval of the Assembly. It is expected that such regulations will take some time to draft and in doing so the Department would take fully into account the representations made by your Company about the way taxis are currently operated under the airport contract.

I can therefore assure you that the passing of the Taxi Bill into law of itself will not automatically mean that all airport taxis will have to become accessible nor will the way that taxis are presently operated be immediately affected.”

Mr Ford: This is another instance in which we will have to wait for regulations, rather than expect measures in the Bill.

Mr Boylan: Thank you for your presentation. I was glad to hear mention of the customers in rural areas. You mentioned the variety of services that you offer. Do you follow a code of practice that is governed by the airport?

Mr McVeigh: Taxi drivers who work at the airport are security vetted by the airport authorities. We have to supply a certain standard of vehicle, and it must not be more than six years old. Every driver is subject to checks by the police — if the authorities wish — and our insurance and PSV certificates must be 100% up to date. A complaints procedure is also in place. If a complaint is made against one of our drivers, it is immediately acted on. We have a training and employment agency in Ballymena to look after those affairs, and that keeps us completely right. If a complaint is made against an airport driver — through the international airport — a representative from the training agency gets in touch with one of the management team on the taxi rank, who will strictly monitor the service.

Mr Boylan: Customer care is very important in your line of work.

Mr Press: Complaints — when they are made — come through to us via the airport authorities. We know how important it is for our type of franchise to have a proper disciplinary procedure in place. However, that is something that is sadly lacking in other private companies and, perhaps, even in the public sector. Some organisations do not have effective complaints procedures, and proper disciplinary procedures might not be taken against those who fall foul of the legislation. People care so much about their jobs that they do not step out of line. In the past two years, only two drivers have left because they have overcharged passengers.

Mr Boylan: You deal with many different nationalities.

Mr Press: We look upon ourselves as ambassadors for our country, because there are lots of tourists. Last year, seven million visitors came through the airport, and we are the first people that they meet. There has been talk about training, but we are already there. We direct, advise and give people estimates of the cost of their journeys, for instance. I am not being big-headed, but we lead by example. We are further ahead than some private companies.

The Chairperson: Thank you both very much for coming here today. You are quite right; you are the ambassadors meeting people who have just arrived in the country.

Mr Gardiner: They work at the airport, but they seem to run a tight ship.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR CULTURE ARTS AND LEISURE

Thursday 11 October 2007

LIBRARIES BILL (NIA 5/07)

Members present for all or part of the proceedings:

Mr Barry McElduff (Chairperson)
Mr David McNarry (Deputy Chairperson)
Mr Dominic Bradley
Mr Francie Brolly
The Lord Browne
Mr Paul Maskey
Mr Kieran McCarthy
Mr Nelson McCausland
Mr Ken Robinson
Mr Jim Shannon

The Chairperson (Mr McElduff): This section of the meeting will comprise a review of the evidence collected to date on the Libraries Bill, with the aim of the Committee's coming to an agreement on the position that it intends to take on various clauses when Minister Edwin Poots gives evidence at next week's meeting.

Independent legal advice, relating to staff transfers in schedule 2 to the Libraries Bill, was mentioned at the Committee meeting on 27 September. The Committee Clerk raised the issue informally with the Director of Legal Services. She advised the director that at the meeting on 4 October, an official from the Departmental Solicitor's Office (DSO) said that in light of NIPSA's proposed amendments, he was prepared to review again the provision in schedule 2 to the Bill. The official said also that it would be helpful if he could have sight of the full legal opinion that NIPSA had received from senior counsel.

The Committee agreed to ask NIPSA to make available a copy of the legal opinion, which, when received, will be forwarded to the Department for onward transmission to the DSO official. When the DSO official has communicated final views on the matter, the Committee will be better placed to decide

what — if any — legal advice is required from Assembly Legal Services on the interpretation of schedule 2.

The Committee Clerk: This morning, I received from NIPSA the letter from Frank O'Donoghue QC. The letter provides all the evidence that NIPSA referred to when it gave evidence to the Committee.

Mr McNarry: I welcome the fact that we have Frank O'Donoghue's letter, because we can now look at it in conjunction with the evidence that we received from NIPSA. However, why we are giving it to the Department is slightly beyond me. Why are we doing the Department's work? I seem to recall two things — although I need to be sure that my recollection is correct, so if it is wrong someone can pull me up on that. First, the legal gentleman who came to the Committee — and whose name eludes me — said that he had not had any discussions on the legal side of the situation.

However, he was quite adamant that he was right and everyone else was wrong. Despite not having had any meetings with him, he said also that he understood that Mr O'Donoghue had altered his opinion somewhat since drafting the letter to his clients. The letter from Mr O'Donoghue to NIPSA's solicitors is dated 2 February. We need to know whether Mr O'Donoghue's opinion has altered, because we have a legal man telling us in an evidence session that he understands — and we have to take people on trust — that it has altered. He was not able to substantiate that assertion, but it is now in the mix.

Therefore, if Mr O'Donoghue's opinion has altered, how crucial is that to the Committee? In other words, is it wise or safe for us to consider the opinion that the Committee was given as being the endgame? Do we need to check whether Mr O'Donoghue has altered his opinion? On the basis of what he had heard and understood, the legal man did not give any indication that Mr O'Donoghue was either more right than he was or less wrong than he was. The situation is too grey for me.

The Principal Committee Clerk: Certainly, we will check straight away whether there have been any changes to the document containing Mr O'Donoghue's opinion. If there have not been any changes, a reasonable way forward would be to present the advice to the Departmental Solicitor's Office. Given that DSO commissioned the legislation, it is right to give its officials the opportunity to comment on it.

If there have been any changes, either we will inform the Departmental Solicitor's Office or we will ask the Department to inform the Departmental Solicitor's Office. Only when the Departmental Solicitor's Office responds will we be in a position to ask our legal advisers whether they are content with any dispute that has arisen between the two parties.

We will check out fully whether any changes or amendments have been made to the document.

The Chairperson: It is my understanding that the document has not been altered. The name of the official from the Departmental Solicitor's Office is Mr Noel Kelly, but that will also be checked.

Mr McNarry: That information was recorded in a previous Hansard report. Until we have that information, we cannot consider the issue properly. If the Committee finds that it needs independent legal opinion, whom would it approach? Would we approach the same people who are providing the Department with legal advice or would we look elsewhere? Can we look elsewhere, because that seems to be the direction in which we are heading?

Mr Bradley: On page 10 of the document at tab 4, there is a report of Mr Kelly's evidence. He said that: "There are two differing legal opinions, and I am fully prepared to reconsider the issue."

The Chairperson: He is prepared to reconsider the issue?

Mr Bradley: Yes. He says also: "I will reconsider each of the issues that have been raised."

Mr McNarry: Dominic is right. I cannot see any movement for the minds of Frank O'Donoghue and Mr Kelly to meet.

Mr Bradley: At that stage, he says also: "The opinion of Frank O'Donoghue QC has not been disclosed to me, but John Corey has indicated what he said."

That reflects accurately what Mr Kelly said last week — that he was prepared to reconsider the issue and that he had respect for Mr O'Donoghue's views.

Mr Shannon: If the Committee refers the matter to the legal advisers for consideration, will their opinion come back to the Committee?

The Chairperson: Yes.

Mr Shannon: I wanted to ensure that that would happen.

The Principal Committee Clerk: Frank O'Donoghue's advice will be copied to the Department, which will forward it to the Departmental Solicitor's Office. DSO will respond by stating whether or not it agrees with the advice and by giving reasons if it does not agree. That opinion will come back to the Committee. At that point, the Committee will be free to take further, independent legal advice on any outstanding issues by liaising with the Assembly's in-house Director of Legal Services. Therefore, if required, the Committee has access to independent legal advice.

Mr McNarry: As a final word on that matter, I am uncomfortable with the Committee's copying Mr O'Donoghue's letter of advice to the Department. The

Department should get its own copy. If it is prepared to consider the advice, why do its officials not get off their backsides and ask for it? I would vote against the Committee's sending Frank O'Donoghue's letter to the Department. Let the Department go its own way and get its own advice. By sending our advice to the Department, the Committee will be sucked into a situation in which it has both asked for and supplied evidence. It is not a clean process.

Mr D Bradley: If the Committee disagrees with Mr Kelly and has access to another opinion, it would be churlish not to pass that on. NIPSA is Mr O'Donoghue's client; therefore, the Committee might be the only conduit that is capable of supplying Mr Kelly with the information that he needs.

Mr McNarry: In that case, we should ascertain whether NIPSA is happy for us to pass on a document that it submitted to the Committee.

The Chairperson: We have that understanding from NIPSA. However, if David wishes to record his dissatisfaction with the notion of forwarding —

Mr McNarry: I am dissatisfied, and I want to make that clear.

The Chairperson: Members should now give their attention to the web article, which was sent to the Committee by Ms Julie Mapstone, who works for the Department of Culture, Arts and Leisure. Ms Mapstone has highlighted paragraph 3, which states that libraries: "more than doubled their book spend for the second year running".

Mr McCausland: The article suggests that things are wonderful; however, the background is that over the past few years, the amount of money given to libraries has remained unchanged, increased slightly or, in some cases, decreased. In certain years, because it could not get money from anywhere else, the Library Service took money from the book fund in order to spend it on buildings and staff. Staff levels have been cut to the bone; therefore, there is a little bit of extra money for books. The sentiment of the article is disappointing — it is spin of the highest order. Total library expenditure has certainly not gone up.

However, there is no point in fighting with anyone about library spend — no one would listen.

The Chairperson: You have vented your spleen on the matter.

Members should now refer to the chief executive designate's reply to the Committee's request for an update on staff recruitment and the notion of developing a sub-regional structure for the new library authority.

Mr McCausland: The letter states that the proposed sub-regional structure would, in practice, equate to

having an area manager. The person who was to fulfil that role would go to any local community-planning meetings.

The Chairperson: That can be noted for now.

Mr McNarry: I have a comment to make — I am sorry if I sound like I got out of the wrong side of bed this morning, but my day was going well until I arrived here.

Mr Shannon: I thought that that was every morning, David.

Mr Brolly: His bed only has one side.

Mr McCausland: David's bed has two wrong sides.

Mr McNarry: To get out of the other side, I would have to climb over the wife. *[Laughter.]*

I cannot believe that a body that does not deserve the title “designate”, has now got a fancy title, which is the Northern Ireland library authority implementation team. It has an office and so on, and the chief executive designate has written to the Committee. I cannot believe that recruitment is being carried out for that body.

The Chairperson: It is also setting up a temporary headquarters.

Mr McNarry: This will come back and bite us; and that is crap.

The Chairperson: Your views have been well noted. You have made them known on more than one occasion.

Members should know that we will be having a working meeting with the Minister of Culture, Arts and Leisure next week. It was thought originally that there would be time for the Assembly Research and Library Service to brief the Committee on its background paper on the Bill, which was provided to members during the meeting of 13 September 2007. I draw members' attention to that.

However, given that we are also receiving a briefing next week from the Department on the budget process, there may not be sufficient time to allocate 30 minutes for a presentation on the background paper. Do members wish to receive a briefing on the background paper at another time?

Members indicated assent.

The Chairperson: I want to draw members' attention to the issues that have been raised by witnesses and the Committee during the course of the evidence sessions, along with the response from the Department, which we heard last week. I remind members that the Committee needs to agree its position on each of those issues and decide whether we want to attempt to persuade the Minister to make amendments to the Bill. It was great to discover that, sometimes, Committees

can persuade Ministers to make amendments on their behalf before Bills go to the House.

It is best to discuss each issue systematically. I want to examine clause 2 of the Bill — “Duty of Authority to provide library service”. If we cannot add value, and if we are content, we will move on. The Chartered Institute of Library Information Professionals was concerned that the term “comprehensive and efficient” is not included in clause 2. It also suggested that the clause should make reference to the standards set out in the document ‘Delivering Tomorrow's Libraries’.

Last week, departmental officials said that if standards were included in legislation, the Department would have to go through the whole legislative process in order to upgrade or amend them. The officials said that using the term “comprehensive and efficient” would not be particularly meaningful, and that it has set out what it means by “a comprehensive service” in clause 2(2)(a). However, the officials also said that they would be prepared to reconsider the issue.

I draw members' attention to the memo from Julie Mapstone, which reinforces the points that she made at the evidence session. The memo states that:

“It was considered inappropriate to legislate for efficiency. The service will be measured via the standards set out in Delivering Tomorrow's Libraries and through additional targets which may be set from time to time.”

It seems reasonable not to include standards in legislation, as they can change with time. For example, on a different subject, charges for fishing licences are not included in primary legislation because they change through time and are, therefore, dealt with under secondary legislation.

Are members content with the Department's position on that issue? Do members want to ask the Minister to include the phrase “comprehensive and efficient”, or to specify standards in clause 2? That would run contrary to the advice from the Department. Do members wish to further question the Minister on this clause?

Mr McNarry: There was good reason for the term “comprehensive and efficient” to be included in the Bill, mainly because we are the legislators; we will not write the Bill, but we, or whoever follows us, will be the fall guys for anything that goes wrong.

If one is to believe the leaks that are coming from another Committee, which deals with water, the amazing figure of 40% efficiency savings will be used as a means to pay for that Department's proposals. An efficiency saving of 40% seems to be immense, and if you were to ask the electorate, their major criticism would be focused on the efficiency of the system and the civil servants and people who service the Assembly. I am keen to keep the word “efficient”

in the Bill because if we take a backward step on efficiency, we will slide.

Mr Brolly: People referred to operational matters outside the legislation, and that should have been raised at the time. I have made the point about whether the new library authority should be an institution or an operation. Fundamentally, we want a library operation. We have all expressed concern that the proposed centralised library authority might live in an ivory tower and that it would be clinical, losing touch with the people who most need the service. Operational matters should definitely be part of the legislation. The absence of the words “comprehensive and efficient” from the legislation cannot be used as an excuse for operational matters not being covered.

The Chairperson: From time to time, the Department advises the Committee that certain matters will be covered in the rules of operation. David McNarry and Francie Brolly want “comprehensive and efficient” written into the legislation.

Mr McCausland: I support that.

My other point is on the suggestion that the standards that are set out in ‘Delivering Tomorrow’s Libraries’ should be drafted into the Bill. I accept that the legislation would have to be changed to reflect basics, such as targets. Is there a halfway house that allows a mechanism for the Assembly to have influence over standards so that they cannot be arbitrarily changed by the library authority, without its taking the Assembly’s views into account?

Mr D Bradley: In its response, the Department said:

“Having to legislate for efficiency is a little strange, because one would expect that to be monitored anyway.”

Are there any indications of how efficiency will be monitored? The Committee needs to know the answer to that.

The Chairperson: The Department said that it will judge efficiency against the standards set out in ‘Delivering Tomorrow’s Libraries’ and through additional targets, which may be set from time to time. That is not a firm answer. Do you have a question for the Minister?

Mr D Bradley: How will efficiency be monitored, and by whom? Education, for example, is monitored by the Education and Training Inspectorate, which is independent from the Department of Education. That can give an objective view of what is happening in schools and colleges.

The Chairperson: Does that inspectorate have any jurisdiction over Department of Culture, Arts and Leisure matters?

Mr D Bradley: Only in as far as that a school library can be assessed as part of a school inspection. The inspectorate can assess the range of books available, how often the library is used by pupils and how well it supports learning in the school.

Mr McCausland: My question for the Minister is: is there some way of having influence over changes that might be made to the standards? Dominic Bradley’s point is about how the standards will be measured.

Mr D Bradley: My question is: how will the standards monitored and by whom?

The Chairperson: Those questions will inform the Committee’s approach to its engagement with the Minister next week. Are we happy to move on to clause 3?

Mr McNarry: As we are going through the Bill line by line, can I ask you to re-cap what we are happy with when we decide that we are happy with it?

The Chairperson: I will do that: we will ask the Department to include the words “comprehensive and efficient” in the Bill; and Committee staff will capture the spirit of the questions that we are raising today to ensure that we ask them of the Minister next week. Do members agree that we want the term “comprehensive and efficient” to be included in the Bill?

Members indicated assent.

The Chairperson: NIPSA was concerned that clause 3 might not allow the library authority to co-operate with other bodies. Last week, the Department said that the legislation allows the library authority to make partnership arrangements as it sees fit; NIPSA disagreed. In response to a question raised by Nelson, the Department said that independent libraries, like the Linen Hall Library, would still be able to apply to the Department for funding. I refer to Julie Mapstone’s memo. She explained that clause 2(3) of the Bill gives the library authority the power to co-operate with other bodies and to develop partnership arrangements. That includes the Linen Hall Library. For information, that library is a private subscription library, which operates under a scheme framed under the Educational Endowments (Ireland) Act 1885, a very archaic piece of legislation.

Mr McCausland: It is an archaic place.

The Chairperson: Clause 8 gives the Department power to continue paying grants for library services provided outside the library authority. That would include the Linen Hall Library.

Mr McCausland: That is fine.

The Chairperson: Are any members of the Committee collectors for the Linen Hall Library? I

know some people who collect for it; Councillor Tom Hartley does.

Mr McCausland: He has made a collection for it; a very large and sad collection.

The Chairperson: Are members content with Department's position on the issue? Do members wish to ask the Minister to amend the clause or are they happy to move on. I see that members are happy to move on.

Clause 4 gives libraries the power of authority to undertake commercial activities. The Chartered Institute of Library Professionals was concerned that clause 4 implies that libraries will be judged on their commercial success. Last week, the Department said that this provision is included in the current legislation and that it is not a new thing. It explained that it allowed the libraries to sell local books or to run coffee shops. The Department confirmed that the performance of libraries will not be measured by reference to their commercial activities. That seems a reasonable explanation.

Are members content with the Department's position on this issue?

Members indicated assent.

The Chairperson: Clause 6 refers to charges for certain library services. All the witnesses were concerned that clause 6 does not guarantee free core library services. Some suggested that core services should be defined in the clause. In relation to clause 6(2), NIPSA was concerned that there was scope for discrimination if different people were charged different costs, depending on their locality or circumstances. I remember that you posed that question, Dominic.

Mr D Bradley: Yes.

The Chairperson: Last week, the Department said that the legislation was intended to simplify the existing statutory provision for charging. It pointed to the explanatory and financial memorandum of the Bill, which states that core services will remain free of charge. The Department said that it would consider amending the clause and asked the Committee to suggest proposed wording. I refer members to an extract from the current legislation, which deals with charging for library services. It specifies where charges can be made. The Department's proposed legislation turns that around, specifying where charges cannot be made.

Do any members wish to propose alternative wording or a different approach?

Mr McCarthy: My recollection is that all the witnesses thought that the wording was not strong enough, and even the Department's officials appeared to agree with that. I do not have alternative wording.

However, if any other member has a strong wording, he should suggest it.

The Chairperson: You want it specified in the Bill that "core services shall be free."

Mr McCarthy: Absolutely. No messing about.

The Chairperson: Yes, Kieran, you have quizzed every witness on that point.

Mr McCausland: The best form of words was produced by the witness from the Chartered Institute of Library Professionals.

The Chairperson: We will have look at that evidence and form of words in order to incorporate Kieran's sentiment. Are members agreed that we take that approach?

Members indicated assent.

The Chairperson: The Department offered an explanation for different charges for different persons' circumstances and localities. The Department said that that reflects current practice, whereby, for example, senior citizens and children do not pay fines, whereas adults do. However, the Department could not provide an explanation for why people in different localities would be charged differently. The Department agreed to come back to the Committee on that matter.

I refer Members to the memo from Julie Mapstone. Julie explains that in respect of locality, some public libraries have rooms that are let to the community for meetings and events, charges may differ depending on the size of the room, the demand in a particular area and whether the users are from commercial or voluntary bodies.

Mr D Bradley: Should a regional library authority not have regional charges?

Mr McCausland: In Belfast, a library in, for example, Ligoniel would charge a different rate for the hiring of a room than would Belfast Central Library, which could charge more because of its city-centre location, and the increased value added by that location. Therefore, flexibility is important.

Mr D Bradley: New ageism legislation may be relevant in regard to not charging fines for children and senior citizens. For example, the Southern Regional College has increased its fees because it is not allowed to charge pensioners less except on the basis of the benefits that they are in receipt of. Given that that legislation applies to the Southern Regional College, would that not also be applicable in this instance?

The Chairperson: That is a good question which will be recorded and put to the Minister of Culture, Arts and Leisure during next weeks' meeting.

Mr Shannon: To elaborate on Dominic's point, it would be wise to have a Province-wide charging system. Nelson's point is valid: hiring a small room or a large room will incur different charges. Is there a way to implement a Province-wide charging system that is in proportion to the size of the rooms that are to be hired? Is there the scope for a system that would be the same whether in Londonderry, Newry, Strabane or Newtownards? Charges must be similar across the Province.

The Chairperson: Do you take Nelson's point about charging differently for rooms in Belfast?

Mr Shannon: Yes.

Mr McCausland: The rental of an office in Belfast city centre is more expensive per square foot than in somewhere such as Ballysillan. There must be flexibility because otherwise money may be lost.

The Chairperson: Do you accept that, Jim?

Mr Shannon: That puts a different light on the matter. The situation in the centre of Belfast will be different to that in Ballywalter.

Mr Maskey: It is a difficult issue. The charge could not be calculated per square foot because that could not be written into legislation. A library should set out standard charges from an early stage. However, those charges would go up on a yearly basis; therefore a certain degree of flexibility should be included.

Mr McCausland: There is the competition factor: if someone wants to rent public space in a library in Belfast city centre, he or she has the choice of the Linen Hall Library or Belfast Central Library, and there will be competition between those two for certain events. The money will go back into the library, so its users will benefit, and it is not in the libraries' interest to charge themselves out of the market, so librarians should be trusted in that regard.

Mr Shannon: It may be possible to put like with like: similar charges for a library in Strabane and a library in Newtownards would make sense; it would not make sense to charge the same for a library in Belfast and one in Ballywalter — where there is no library, of course. A library in the centre of Belfast could not be compared with a library in Newtownards or in Strabane.

Mr D Bradley: Are there plans for a library in Ballywalter?

Mr Shannon: Not that I am aware of.

The Chairperson: Do you want it written into the legislation that there should be a library in Ballywalter?

Mr Shannon: No, I will not make that claim.

The Chairperson: If there are no issues regarding the different wording then we will move on, however, questions will put to the Minister next week.

Schedule 1 to the Libraries Bill concerns membership of the library authority. The majority of witnesses agreed that a board of between seven and 14 members was too small. Witnesses were concerned that the Libraries Bill did not require elected representatives or unions to be represented, or to be on the board, and that geographical representation was not assured.

Last week, the Department said that the Office of the Commissioner for Public Appointments has a tendency to recommend smaller boards, which is advice that the Department is following. The Department explained that the library authority will not need many subcommittees. However, it said that the Minister is prepared to reconsider the number of board members. Does the Committee feel that there should be more board members than the current provision of between seven and 14?

Lord Browne: Although the board should be kept small, the suggested number of members is too small. I recommend approximately 20 members, but do not recommend expanding the numbers much more; otherwise, they would affect effective efficiency.

Mr K Robinson: I agree with that. I have been a member of an education and library board, like yourself, and know the subcommittees that are set up, which put quite a strain on members, particularly if they are trying to cover a wide geographical area or, as in this case, a sub-regional area. I agree with Wallace's recommendation of roughly 20. I feel strongly that elected representatives and union representatives should be on the board. I am worried about "the great and the good" from the public appointments point of view, but the number of those people available must be running out.

The Chairperson: Maybe some of those people are on several bodies.

Mr D Bradley: At last week's Committee meeting, when I asked Ms Mapstone whether she had any evidence that smaller boards were more effective and efficient, she said that there was no evidence to that effect.

Mr McCarthy: I support what Wallace said; the board should be a bit bigger because, as members know, it is difficult to get a quorum in any situation. Also, elected representatives should be on the board.

Mr McNarry: What category of elected representatives do Committee members mean?

Mr K Robinson: I meant elected representatives at council level, including those from the new councils in

whatever form that they take. I certainly did not mean folk from this august Assembly.

The Chairperson: We are talking about members of local government authorities.

Mr McNarry: I thought that that was what was meant. Any changes to local government through RPA must be considered.

Mr McCausland: I am fully supportive of that proposal. If a 20-member board is opted for, how many members from local authorities should there be, and how would they be selected?

Mr K Robinson: That issue was touched on before, and we thought that a body such as Northern Ireland Local Government Association (NILGA) could co-ordinate the selection process.

The Chairperson: The Committee will conclude on the matter in a second. Ken, will you think about formally wording an insert for the Bill about elected representatives and unions representatives being on the board?

The Department said that advertisement and criteria for board members would ensure that appointments were based on merit, and would specify the experience required. The Department also said that it will try to attract applications from a wide range of people. The Committee has suggested that the Department includes a clause, which states that the board must be totally reflective of society, as is the case in the Equality Commission and the Human Rights Commission. The Department said that it would consider that.

Does the Committee want the requirement that the board reflects the composition of society to be written into the Bill? Also, does the Committee want the requirement of elected representative and union representation on the board to be expressly included in the Bill?

Mr K Robinson: I support a requirement for elected representatives and union representatives to be on the board. I have a difficulty with what constitutes being reflective of society; sometimes I see bodies that certainly do not represent society in my area.

Mr McCausland: I favour the idea of the board being reflective of society. The problem is that these boards take reflective to mean getting representatives from east and west of the Bann, who are protestant and catholic, and are male and female, and leave it at that.

Mr K Robinson: It finishes up as a strange box.

Mr McCausland: As the composition of these bodies is usually made up of “the great and the good”, the east-of-the-Bann representation tends to solely consist of people who live in North Down. Given the cultural nature of this body — the cultural importance of libraries has been stressed — it should reflect the

cultural diversity of Northern Ireland, and not end up filled with middle-class and upper-middle-class Anglo-Irish types from North Down.

The Chairperson: Could you be clearer? *[Laughter.]*

Mr D Bradley: Would you like to name those people?

The Chairperson: Is this Committee a North-Down-MLA free zone? *[Laughter.]*

Mr McNarry: Sometimes, where I live is included in North Down.

Mr McCausland: That is because you are a snob. *[Laughter.]*

The Chairperson: Do you speak for Peter Weir on the matter?

Mr McNarry: Yes. *[Laughter.]*

Mr McCausland: He attempts to speak for Peter Weir.

Mr D Bradley: All areas will be represented, except North Down.

Mr McCausland: Precisely; all areas will be represented, except North Down.

The Chairperson: We are agreed on the need for elected representative and union representation on the board. We will have to consider further whether the clause should include reference to the fact that the board must be fully reflective of society.

Mr Shannon: That would obviously include rural areas. Nelson’s point is very valid, and many of the representatives of the boards made that point when they appeared before the Committee. Those of us who represent rural areas are very conscious of that as well. It is important that the rural community is not forgotten about to the advantage of urban dwellers. I mean no offence to those who live in urban areas, but it is important that we ensure that there is a balance.

Mr K Robinson: In particular, the Southern Education and Library Board seemed to be very fearful of that happening, and I can understand its concerns.

The Chairperson: Of course, the Western Education and Library Board would cover a very rural area, too.

Mr McNarry: I have a suggestion that I feel would be useful, and I wonder whether the Committee would agree. Could there be some form of user representation on the new board? Many such boards do not have any user representation.

Mr McCausland: Any councillor who would sit on it would be a user.

Mr McNarry: That may be so, but I am thinking in particular of the elderly, who frequently use libraries. It would be nice for them to have a voice.

Mr D Bradley: The Committee may recall that, some time ago, I asked whether there was any representative body for library users. I believe that the Committee Clerk reported back that there was not. Therefore, that might create a difficulty.

The Chairperson: Were you surprised that there was no such body?

Mr D Bradley: Yes, I was. I thought that there would have been a group that represented readers and library users.

Mr Brolly: Could the new library authority consider setting up such a group? That would be useful to the authority for the purposes of consultation — it could consult the group on issues — and for the purposes of information-gathering.

Mr McNarry: That would be very useful.

Mr McCausland: The number of people who actually attend meetings of consultative panels is small. For example, we have such a panel in Belfast, and although over 40 people may be invited to attend a panel meeting, we are lucky if four turn up.

The Chairperson: There needs to be emphasis on getting feedback from users in some way or another.

Mr McNarry: Such a group would provide a means of channelling users' complaints and requests. As elected representatives, we hear from users that their local library service does not supply such and such. It would be better if there were a voice to represent those views. I take Dominic's point, but it would be better if such a voice could be found.

Mr McCausland: I know that this is an operational matter, but one approach might be for the library authority or local library service to hold meetings with users in a given area twice a year. The readers could be invited to attend that meeting when they come in to borrow their books. That situation would be easy to manage.

The Chairperson: I feel that if departmental officials were present, they would suggest that that be put in the explanatory and financial memorandum, where the rules of operation are listed. It would not be linked to —

Mr McCausland: I am not suggesting that for a moment.

Mr McNarry: My constituency office is beside Newtownards Library, and we get a lot of people coming in —

Mr Shannon: Looking for books. *[Laughter.]*

The Chairperson: You hear people's views.

Mr McNarry: They are looking for the truth.

The Chairperson: That is valuable.

Let us move on to paragraph 1 of schedule 3, which refers to "Tenure of office." NIPSA stated that the chair of the board should only be allowed to hold that office for a maximum of two terms. Last week, the Department said that it agreed with that. However, it feels that the matter should not necessarily be included in the legislation; rather it believes that it should be included under the rules of operation for the board. Is that adequate?

Mr McCausland: Will the library authority draw up its own rules of operation or will the Department draw up those rules?

The Chairperson: We will have to record that question. It is another query about who will do what.

Members will note that paragraph 6 of schedule 1 to the Bill deals with secondments. NIPSA was concerned that the legislation might permit secondments from the Civil Service only, and that it would exclude the schools' library service and the education and skills authority. Last week, the Department pointed out that paragraph 5(1)(b) of schedule 1 permits the authority to have such employees as it sees fit to have, which includes seconded staff as well as direct recruits.

The Department also highlighted clause 8(1) of schedule 1, which permits the authority to provide assistance to persons as it sees fit. The Department clearly stated that there is no attempt in the legislation to deny secondments, particularly from the education side and the schools' library service. The Department explained that Civil Service secondments are specified because they may not have been allowable otherwise.

As that appears to clarify the legislation on secondments, are members happy to move on?

Members indicated assent.

The Chairperson: Schedule 2 deals with staff transfer schemes, and I remind members of our earlier discussions on seeking a final view from the Departmental Solicitor's Office. Paragraphs 13 and 14 of the explanatory and financial memorandum detail the start-up costs and estimated savings involved. Many witnesses were concerned that the start-up costs are inadequate and that the Department has overestimated the savings that can be made. Last week, the Department did not adequately explain how the figures for start-up costs or savings were calculated.

The Committee wrote to the Department seeking detailed answers, and I understand that its response is due tomorrow. I suggest that members await that before deciding to pursue the issue of costs with the Minister. Members who are not content with that response may wish to ask the Minister to amend the explanatory and financial memorandum to provide a more realistic estimate of costs and savings.

Mr D Bradley: Did you skip a page? Did we cover all the points on the staff transfer scheme?

The Chairperson: Yes, I think so, but tell me why you think otherwise, Dominic.

Mr D Bradley: I do not remember covering all those points.

The Chairperson: I moved through them swiftly because I have a time-management plan for the rest of the meeting, but let me know if something jumps out at you.

Mr D Bradley: We need to cover some of the legal issues.

Mr K Robinson: Further to Dominic's point, we do not want to sleepwalk into creating a situation similar to that of the classroom assistants at some stage in the future. Therefore, when we revisit the staff transfer scheme and related issues, we must be extremely careful not to set a precedent that could hang, draw and quarter one group or advantage another. We went through the staff transfer scheme fairly quickly, and, therefore, we must revisit it.

The Chairperson: I agree. Given that much has already been said about reaching a proper conclusion on the legal advice, it is an extremely difficult area. However, we agreed earlier to revisit the matter, as Ken and Dominic suggest.

Mr McNarry: As two items — the legal report and start-up costs — have been identified as requiring further discussion, it may be prudent to suggest that the Committee does so before meeting the Minister. I cannot understand why the Department's reply will arrive tomorrow, given that its officials know that the Committee is meeting today, and I find that unsatisfactory.

All the witnesses who were questioned on the subject made it clear that they did not consider the start-up costs to be adequate, and that will become a major issue. Therefore, if you permit it, Chairperson, we should meet earlier to go through whatever correspondence we receive from the Department as a Committee, rather than as individuals.

If we have evidence that the new authority cannot be established for the cost estimated in the Bill, we would be foolish to state that we will proceed with it — and the evidence of everyone that we have asked is overwhelming. It is a major issue, particularly because we are heading towards the Budget. Are we to allow a Minister to submit bids and compile budgets on the basis that we, as a Committee, do not think that he has enough money? It seems that the Executive do not have enough money to do anything.

The Chairperson: What do you suggest is the way forward?

Mr McNarry: The jury is out on the subject, because we do not have the necessary information. Can we meet half an hour earlier next week, before our meeting with the Minister, to come to a conclusion, as a Committee, on costs?

The Chairperson: OK. That is what we will do.

On David's point about discussing certain issues "in Committee", I am disinclined to go down that route. An open Committee is open to the public.

Mr McNarry: I meant that the Committee should gather earlier. I do not want to remove the issues from the public domain, or from Hansard. Perhaps Hansard's services can be arranged for that earlier meeting too.

The Chairperson: Thank you. That is fine; let us move on.

The need for an advisory council to the authority is not in the Bill. The Library and Information Services Council suggested that an advisory council should be established to support the authority. Last week, the Department said that it had considered that option, but that creating a separate body would involve considerable expense and that it would have recurrent costs. The Department suggested that a better option would be for the library authority to develop strong links with other public library services, as detailed. That seems to be a cost effective solution. Members will note also that only the Library and Information Services Council suggested establishing an advisory council. Are members happy to move on?

Members indicated assent.

The Chairperson: The timing of creating a library authority is also not in the Bill. Members and witnesses are concerned about the timing of creating a new authority, particularly in relation to the establishment of the education and skills authority and staff morale.

Last week, the Department said that the Minister will discuss the matter with the Committee when he comes to give evidence on Thursday 18 October. What are members' views on the timing issue? When does the Committee think that the library authority should be established? That could be as soon as practically possible or at the same time as the education and skills authority. Are there any views on that?

Mr McNarry: We need to tie that down. The Minister must tell us his view, and we can decide whether we agree with him. To leave the issue hanging in the air does not seem sensible to me. The Committee must consider RPA, the Budget and the many pressing issues that will come on top of that issue.

At one stage, the Minister indicated to the Committee that he would establish the authority, and it

was not very important. Suddenly, he sped the matter up. There must be a reason why he is pressing ahead so quickly. It is probably because he is spending money on employing people in an authority that does not yet exist and for goodness knows what other reasons.

The Committee needs to tie him down. It is not for the Committee to stipulate when it wants the authority to be established. We need to ask the Minister when he is going to do it, and we can decide whether that is right or wrong.

Mr D Bradley: It is probably impossible to synchronise the establishment of the library authority and the education and skills authority. It seems to be desirable that the two bodies be established in as close a time frame to each other as possible.

The Chairperson: OK. The Committee can raise the matter again next week. Are members agreed?

Members indicated assent.

The Chairperson: Links with the schools library service and the Department of Education are not in the Bill. Some witnesses and members were concerned that literacy and life-long learning programmes would be impaired by splitting the public library service from the Department of Education. There was also concern that the links with the schools library service would be endangered.

Last week, the Department said that it was in regular contact with the Department of Education on issues relating to the creation of the library authority and the education and skills authority to ensure a common approach to staff transfer. Officials said that in relation to links between the library service and the Department of Education on, for example, the Bookstart programme, the Department would ensure that services continue and that service-level agreements could be established with the education and skills authority. Are members content with that response? Do members wish to press the Minister to address any of those issues by including them in the Bill?

Mr McNarry: I am reasonably satisfied that those issues are not included in the Bill. However, I need more guarantees from the Department. For the Department simply to say that it will ensure that this or that will happen is not good enough, particularly on the links between the library authority and the education and skills authority. I want those assurances to be strengthened through some sort of written agreement that the Department will be tied to, so that, at least, the Department can be held accountable for its actions.

The Chairperson: OK. Is that agreed?

Members indicated assent.

The Chairperson: The sub-regional structure is not in the Bill. Members and witnesses have expressed concern

about whether the library authority will have a sub-regional structure and, if so, what form that structure will take. The Committee wrote to the chief executive designate to ask for an update on her progress in establishing a sub-regional structure. A response is expected tomorrow. As David will be glad to hear, Friday follows Thursday.

Last week, the Department said that it sees the sub-regional structure as an operational matter. When the Department says that, one knows that it does not want the matter to be reflected in legislation. The Department does not want the sub-regional structure to be reflected in legislation as it considers it to be an operational matter.

The Committee suggested that contact and interaction with local authorities could be written into legislation. The Department said that it would consider that. Do members wish to pursue the matter with the Minister and suggest that he specifies elements of the sub-regional structure of the authority in the Bill, or are members happy that it remains in the rules of operation? Shall we consider that matter and return to it next week?

Mr McNarry: May I ask a naïve question? The matter may have been discussed when I was out. The problem is that the Committee does not have clear indication of what the operational structure will be. Will all those promises be built into it? The Committee must tie down the Department. Is it the right time to ask the Department how far it has got with the operational structure, what it is and whether it can give the Committee a blueprint of it? The Committee has gone blind on that matter.

The Chairperson: OK.

Mr D Bradley: If the sub-regional structure will not be specified in the Bill, the Committee must have sight of the chief executive designate's proposals for it. At present, the Committee has not heard anything about the structure, and it has not taken shape. The Committee must have an idea of what it will look like when it is completed.

The Chairperson: The Committee must get more than a promise about the inclusion of the sub-regional structure in the rules of operation. We must have sight of the proposed rules. Is that correct?

Mr D Bradley: I would not go that far. However, the chief executive designate of the education and skills authority has provided the Committee with the operational structure of that body. The Committee must also see the sub-regional structure of the library authority.

Mr McCausland: It seems that the sub-regional structure will end up being local officers or managers for particular council areas. Those people will represent the library service at community planning meetings. Is that sufficient local input, bearing in mind

that although there will be councillors on, for instance, a 20-member board, they will not be able to reflect the interests of different communities in that council area? It would not be possible for one individual to do so. Even if there were councillors on the board, it may be that there are none from a particular community.

Although there is a need for a library authority that will have a co-ordinating role between libraries, is the Committee satisfied that there is sufficient local input in the library authority that is envisioned? In a sense, the Committee was bounced into accepting a single library authority at first, because it had been put through quickly in the Chamber. Is the Committee satisfied that the current vision for the library authority provides enough local input, or should there be a single library authority that has a strategic role and a much more enhanced role for local authorities than simply to attend community planning meetings? That question has not been answered.

The Chairperson: The local dimension troubles everyone who sits around the table. We do not believe that it is adequate.

Mr McCausland: Now is the time to deal with it. We can tinker around with details on other matters. However, we must answer that question.

Mr D Bradley: The Department is basically saying that there will be a local officer who will have input into community planning?

Mr McNarry: That is what we think.

Mr McCausland: We do not know that for certain. However, it could not be anything more than that. Will there be a local board in each area in the same way that there is a library committee? Will the officer meet with councillors in the area?

The Chairperson: Those are key issues for the Minister.

Mr McCausland: Yes. In a sense, the onus has been put on Irene Knox who introduced the sub-regional structure. It is a damning indictment of the people who came up with the scheme years ago that they never even considered introducing a sub-regional structure.

Mr McNarry: That brings us back to the fact that there is a great need to see the operational structure, or even to see a draft of it. It worries me that if that work is not done, what are we buying into?

Mr K Robinson: The actual model has yet to be determined. The departmental response on 4 October states: "Perhaps, later on, we will talk about exploiting the subregional nature of libraries".

That should worry us all, as it is so vague.

The Chairperson: Does the Committee wish to write to Irene Knox to request a copy of the operational structure?

Mr McNarry: No, we can ask the Minister next week. We can put him on the spot then.

Mr McCausland: It may seem that we are being cantankerous at this late stage. The problem is that all of this was done during direct rule when there was no opportunity for proper input and scrutiny.

The Chairperson: We have every entitlement to request to see the structure.

Mr Brolly: Nelson is saying is that the library authority was in place before we had any opportunity for input. There is an obvious anomaly, because the idea of a library authority was to centralise the library service, and what we are talking about now is how best we can decentralise it. We will probably end up believing that we would have been better to stick with the education and library boards.

The Chairperson: The location of the library authority headquarters is not mentioned in the Bill, and some witnesses and members were concerned about that.

Mr K Robinson: Would you favour Omagh, Chairperson?

Mr McNarry: I want to put in a plug for Newtownards: the new headquarters should be in Newtownards. *[Laughter.]*

The Chairperson: East Antrim lacks public-service jobs.

Mr K Robinson: Yes, East Antrim is very low down the list of priorities.

Mr McCausland: Jim, get in quick with Ballywalter.

Mr Shannon: I would vote for Newtownards. I would support my colleague in his bid for Newtownards.

Mr McNarry: There is a majority of three for Newtownards.

Mr Shannon: As long as it is not Omagh.

The Chairperson: Last week, the Department informed the Committee that the chief executive designate and her team would move to temporary premises in Lisburn in November.

Mr McNarry: Is that at the Maze?

The Chairperson: Maybe it is at Long Kesh. *[Laughter.]*

The Department is waiting for final advice on the location of public-sector jobs before making a decision on the headquarters' location. However, it is interesting that the team is moving to Lisburn in the short term. Are members content with that response or do they wish to pursue that matter with the Minister? Is the Committee content that the location of headquarters

will be put into the context of the location of public-sector jobs?

Mr P Maskey: What constituency does the Minister represent?

The Chairperson: That is a good point.

Mr McNarry: The point is that the Minister has said that the headquarters will not be a huge building, but I do not know of any small buildings in Lisburn.

Mr P Maskey: They could use the Minister's constituency office.

Mr McCausland: Or maybe they could use Ulster Unionist Party headquarters?

Mr McNarry: Aye, we have a big building in Lisburn.

The Chairperson: Last week, the Committee suggested to the Department that the legislation should include a provision making it the responsibility of the library authority to ensure that there is a collection of relevant material that may be described as being of national importance. Nelson raised that point, and departmental officials said that they would consider the matter. A memo from Julie Mapstone explains that for such collections held by public libraries, there is a need to set the collection of materials relating to one subject or region in the context of the requirement set out at clause 2(2)(a) for the library authority to make available:

"library materials sufficient in number, range and quality to meet the general requirements of adults and children."

That includes materials for lending and reference purposes to facilitate research and study. Senior library staff would judge how collections should be developed, bearing in mind their library budget.

Mr McCausland: Is that Julie Mapstone's answer to that question? I do not think that that is much of an answer, because, at present, that does not happen. We have left that duty with librarians, but nothing has happened, so how do we ensure that it will happen in the future?

Mr D Bradley: The definition in clause 2(2)(a) could be interpreted in a very narrow way.

The Chairperson: It is minimal.

Mr D Bradley: The definition could be interpreted in that way — just what is necessary and no more.

The Chairperson: It is very minimal and provides food for thought for the session with the Minister.

Mr K Robinson: We must have a more comprehensive look at the Bill. There is a lot of material that a librarian might know about today, but he or she may well retire rather than deal with the new system. A new librarian may come in and look at the dusty old store and decide to clear it out. The whole archive could go, and that might include very

important material for a district, a part of society or whatever. We must insist that that is a very important part of the role of a public library. Not only should there be public access, but there should be the realisation that librarians are holding history in their hands. Libraries hold much more than material: they hold social and individual history. Nevertheless, I have seen documents being sent to the shredder many times.

Mr D Bradley: There may be a need to expand clause 2(2)(b)(ii) of the Bill to ensure that it is not given a minimalistic interpretation.

The Chairperson: In the absence of any dispute, we will agree to seek further discussion on clause 2(2)(b)(ii).

The Northern Ireland Publications Resource has established a non-statutory national bibliography by collecting all locally published material since 2000 — this is all very interesting. That is the Linen Hall Library collection and the Belfast Central Library.

Mr McCausland: It is across all libraries. The weakness with is that it applies to locally published material. For example, I know that the founder of Los Angeles was born Belfast, and a book about him was published in America — because the book was not published here, it has not been collected by the Northern Ireland Publications Resource. A huge number of stories are missing.

By the way, you might be interested to know that the founder of Los Angeles was educated at a Christian Brothers School in Dublin.

The Chairperson: That is not so bad. That is very magnanimous of you, Nelson. *[Laughter.]*

Have any of the libraries collected any books on the Fintona tram?

Mr McCausland: I am sure that you would find something in the Linen Hall Library.

The point is that the collection facility needs to be more comprehensive than that provided by the Northern Ireland Publications Resources: we are losing the diaspora element about people from here. Many American tourists trail round the Linen Hall Library on a wet day trying to find information. There should be information of wider significance and not just locally published material.

Mr D Bradley: What document are you reading from? We do not appear to have a copy of it.

The Chairperson: Are members content with the information provided by the Department, or will we pursue the matters as Nelson described? We can pursue matters further next week.

Mr McCausland: Is there consensus that we should broaden our vision beyond locally published material? What about information published in Glasgow or Dublin? We should not just have locally published material.

The Chairperson: OK: so that part should be reworded or reconsidered.

Mr D Bradley: Libraries should seek information that is relevant to our local situation.

Mr McCausland: Absolutely.

The Chairperson: This part of the meeting has come to a conclusion.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR THE ENVIRONMENT

Thursday 11 October 2007

TAXIS BILL (NIA 4/07)

Members present for all or part of the proceedings:

Mr Patsy McGlone (Chairperson)
Mr Cathal Boylan (Deputy Chairperson)
Mr Trevor Clarke
Mr David Ford
Mr Tommy Gallagher
Mr Ian McCrea
Mr Peter Weir

Witnesses:

Kevin Doherty	}	Disability Action
Mr John McMullan	}	Department of the Environment
Mr John Martin		
Mr Stephen Spratt		
Mrs Adele Watters		

The Chairperson (Mr McGlone): There was no written submission from Disability Action, but members may recall that at our meeting on 27 September, we agreed that it was important that the Committee hear an oral brief from a Disability Action representative. I also advise members that unless the Committee receives and accepts any late requests, today is our last day for oral evidence.

Mr Doherty, you are very welcome. Our proceedings are informal; you will have 10 or 15 minutes to explain your case and any views you may have on the Taxis Bill. Members will then ask questions seeking further detail or clarity.

Mr Kevin Doherty (Disability Action): Thank you. Our chief executive, Monica Wilson, sends her apologies. I am here to present evidence on behalf of Disability Action, which is a pan-disability organisation that works to create an inclusive Northern Ireland with, and for, people with disabilities. There are currently more than 330,000 people in Northern

Ireland with a declared disability. The most recent census survey in Northern Ireland has identified certain barriers to social and economic inclusion for people with disabilities, and transport is one of those barriers. Disability Action urges the Committee to examine the results of that survey as part of any inclusive strategy for transport in Northern Ireland.

Disabled people's experiences of using taxis are very mixed. The vast majority of taxis are private, and can be used by some with mobility impairments, but are often difficult for wheelchair users in particular.

Disability Action represents 180 different disability organisations throughout Northern Ireland, and the evidence I am giving today is of specific examples that have been given to us. The issues faced by disabled people using taxis that are private include: extra charges for carrying luggage; extra charges for waiting the few extra minutes that a disabled person may need to get into the taxi; taxi drivers complaining that walking aids have scraped paintwork on cars; refusal of some drivers to move seats to give extra leg room; difficulty with storage of mobility enhancements, such as crutches; and extra charges for guide dogs for the blind, or, as is more often the case in Northern Ireland, refusal to transport them.

For wheelchair users who can transfer into a private car issues include: refusal to allow the wheelchair user to put their chair as close as possible to the car to facilitate ease of transfer in case of damage; extra charges for waiting; extra charges for storing the wheelchair — I will give examples of that later; rough handling, and subsequent damage to wheelchairs, which is an ongoing issue that has been highlighted to us; refusal to allow the wheelchair user to travel by themselves by some companies who insist that they have an escort; and the driver's attitude, language and lack of experience in transporting disabled people can make the journey uncomfortable.

Comfort and safety are key issues with self-styled accessible transport, although there are a small number of examples of good practice in transporting wheelchair users with knowledge, sensitivity and confidence, but they involve a select number of drivers who specialise in services for disabled people. Disability Action urges that those services should be used as the benchmark for good practice.

Examples that are reported to Disability Action include; lack of knowledge on the use of ramps; wheelchair users not being restrained; being forced to travel facing sideways, or sometimes, the wrong way; lack of driver training and knowledge of effects of impairment, including poor balance; and inability to stay in the chair due to the driver's poor braking or turning.

There are key concerns over the consistency of service, safety and comfort for the disabled person. However, the key significant issue that is often reported to Disability Action is the exorbitant fares imposed on disabled people. I will give two specific examples: a return journey from Lisburn Road in Belfast to Carrickfergus, where there was a ten-minute wait, resulted in a fare of £86, and a return journey of one mile in County Derry with a 20 minute wait was £70. Many disabled people find it difficult, and are afraid to challenge, such discriminatory practice, and pay the fare for a quiet life. In addition, deaf and blind people experience the barriers of lack of accessibility and information, and poor attitude of dispatch and driving staff.

In effect, disabled people often rely on taxis as their only means of mobility, but attitudes, safety, charging, inaccessibility of information, and lack of communication make journeys dangerous, uncomfortable and overly expensive.

The Taxis Bill must secure significant changes for the 20% of Northern Ireland's population who are disabled.

I recommend that several clauses of the Taxis Bill be amended. Clause 2(5) should include a reference to the number, or percentage, of taxis in each taxi fleet that should reach an agreed level of accessibility. Clause 3(2) should contain the provision that licensed operators be required to have a designated SMS number, text phone or other device that enables deaf people to access the booking system. I also suggest that clause 3(9) recommends accessible methods through which disabled users may make complaints to the licensed operators, for instance, a person with a learning disability may wish to make an oral complaint and a deaf person may wish to communicate his or her complaint by text. Clause 13(3)(a)(ii) should include accessibility as a condition for the taxi to be granted a taxi licence, and we ask that the exorbitant fares imposed on disabled people be challenged by clause 16(1)(b). With regard to clause 16(3), the highest penalties should be imposed for overcharging. Disability Action urges the comprehensive enforcement of clause 20(2)(c). If strong enforcement measures are not in place, the situation will become even more difficult for people with a disability.

With regard to clauses 20(2)(h) and 20(2)(j), we seek assurances that accessibility will be the key elements of a future DOE regulation. Even though clause 50 is another enabling clause, the Department recommends that disability and equality training is made mandatory. That would eliminate the lack of disability knowledge that some taxi drivers have — as I mentioned earlier. A further clause should be added regarding the carriage of assisting animals to bring Northern Ireland into line with the rest of Great Britain.

We welcome the introduction of the Taxis Bill, however the overall needs and basic rights of disabled people must be taken into account at the Bill's Committee Stage. This is an opportunity for the Department of the Environment and the Committee to set the benchmark that future Bills will have to reach if society is to be made more inclusive for people with disabilities.

Mr I McCrea: Thank you for your evidence, Kevin. It is always important to hear from someone who is speaking on behalf of people with disabilities and who wants to ensure that the needs of disabled people are catered for. It is also important that the legislation caters for disabled people. At the beginning of your evidence, you talked about the extra charges faced by disabled people — regardless of their disability. Have you evidence to show the differences in charges imposed by public-hire and private-hire taxis?

Mr K Doherty: Taxi firms in small rural villages, for example, are unlikely to have accessible vehicles. Therefore disabled users have to get taxis from firms in bigger places, such as Belfast, Derry and Newry, which have accessible transport, and pay exorbitant fares for taxis to travel to the individuals. However, the problem would be eliminated if all licensed operators were to have some accessible vehicles — as recommended in my proposed amendment to clause 2(5).

Mr Ford: Thank you for your evidence. I hope that you will send the Committee a written list of your suggested amendments to the clauses because I did not have time to note them all.

Mr K Doherty: I will.

Mr Ford: Can drivers' attitudes and ignorance be improved through regular training? Should such issues be part of the licensing procedure? How should they be dealt with?

Mr K Doherty: It is a training issue. Working with and being with people who have disabilities often requires a lot of understanding of the disability.

Training should be mandatory across public transport in general, not simply for taxi drivers. There should be mandatory disability and equality awareness training so that those in the transport industry are aware of issues that may face those with a disability, because often such needs are inadvertently not recognised.

Mr Ford: Last week, a driver who has the disability of reading and writing with difficulty gave evidence. Have you discussed the significant requirements for record-keeping with any of the drivers who may be similarly affected?

Mr K Doherty: The taxi drivers themselves?

Mr Ford: Yes, or are you solely concerned with issues relating to passengers?

Mr K Doherty: Currently, in regard to the Bill we are solely concerned with issues related to passengers.

Mr Ford: In a sense, a number of points that you highlighted about the legislation may be regarded as beefing up the existing Bill, which is, as you have said, overwhelmingly an enabling Bill. Have you had any discussions with departmental officials about that? It appears that you are proposing a fundamental change to the concept of the Bill. You are seeking to have issues that would normally be regulated included in the Bill.

Mr K Doherty: We are open to discussion on the issues.

Mr Ford: Have you discussed them yet?

Mr K Doherty: Not at this stage.

Mr Weir: The Department has provided the Committee with a list of potential regulatory amendments. Certain witnesses, including Mr Doherty, have given us a list of specific amendments. It would be useful if a full list of amendments were drawn up relatively soon. Also, it would be useful to have the Department's opinion on the workability of those amendments. Some issues raised by Mr Doherty could be dealt with through amendments, some through regulations, and others through obtaining assurances. The Committee could break that information down for the Department and seek confirmation that there would be amendments or satisfactory regulations put in place. It may be helpful to Mr Doherty's organisation to get written responses from the Department to confirm, for example, that certain clauses will be enforceable in certain situations. The issue of amendments is separate, but it would be helpful to get written assurances and clarification from the Department on the regulations. That is a role that the Committee could play.

The Committee Clerk: A lot of work is going into producing a single document that will break down the legislation, by clause, to outline the key issues. That work will be ongoing until next week. The document will include suggested amendments to clauses and subsections in the Bill. The Department is working hard to put its comments in a third column, so that the information that members need will be contained within a single document.

Mr Weir: The potential impact and merit of suggested amendments will vary. On the one hand, everyone will agree that some suggestions make common sense while, on the other hand, a proposal by an individual taxi driver, for example, could amount to a pet theory that no one else agrees with. It will be important for the Committee to make distinctions between suggested amendments; and, therefore, unless the Department comments on workability, it will be difficult for the Committee to make value judgements on what may be sensible improvements to the Bill and what may constitute pet theories that will not work in practice.

It was not really a question; I was just seeking clarification.

The Committee Clerk: The Clerk of Bills is here today. He will explain the process of clause-by-clause scrutiny to members. I hope that the document that we are going to use will answer all of the questions that members may have. The Committee will examine the clauses, the issues that were raised during oral and written evidence, and the Department's responses. There will also be an opportunity to discuss the responses with the departmental officials. The document is very large; we have tried to provide members with all the evidence as best we can.

Mr Ford: I have one further question. Mr Doherty highlighted clause 2(5) and the issue of the percentage of taxis that should be disabled-friendly. Does Disability Action have a figure in mind?

Mr K Doherty: It is difficult to say; in some rural communities there may only be two taxis. I could not say, for example, that 50% of the Value Cabs fleet in Belfast should comprise disabled-friendly vehicles. The question is whether opportunities exist for disabled people to avail of accessible taxis.

Mr Ford: I suspect that when we come to the regulations we may have to set a figure.

The Chairperson: Mr Doherty, thank you for coming along and giving of your time.

We shall now move on to the proposed amendments. We are going to be briefed by Adele Watters and John McMullan from the Department of the Environment. I have been advised that the proposed amendments are minor and do not involve any policy changes. Adele and John will probably clarify that for us.

Members have been provided with a copy of the proposed amendments.

Mr John McMullan (Department of the Environment): Thank you for the opportunity to address the Committee on the Department's proposed amendments to the Taxis Bill. Although it may appear slightly odd that the Department wishes to propose amendments so soon, the tight drafting deadlines that were imposed, initially for Westminster and then for the Assembly, allowed our lawyers only the summer recess to reflect on the legislation. It is probably inevitable that when lawyers look at draft legislation they will always find something that they want to change.

We have described the proposed amendments as minor drafting improvements. No policy changes are being suggested in any of the amendments, save one or two, and even then the overall integrity of the Bill will not be greatly affected. The amendments iron out certain ambiguities and uncertainties in the legislation. Although the changes may look small or even insignificant, they are the sorts of issues that can come

back to haunt us in years to come, and the Department invariably ends up in Court trying to defend such legislation.

At the beginning of the oral evidence session, Mr Chairperson, you stated that the Committee was determined to get the legislation right. We share that objective, and the amendments will assist us in that regard.

To understand the proposed amendments fully, it will be important to read the clauses; identify the offending wording; examine the replacement wording, and try to read the whole thing afresh as an amended version. The process is rather tedious, but I hope that I can get through the proposals without being too legalistic. If the Committee requires more detail, I am happy to discuss individual amendments. The Chairperson mentioned the list of proposed amendments, which has been provided to members, and I propose to go through those individually.

The first amendment is to clause 6, which deals with compliance with a departmental taxi-sharing scheme. The clause contains a catch-all provision for the Department — under subsection (1)(c) — when making legislation, to create taxi-sharing schemes.

Clause 6(1)(c) states that the Department shall:

“include such provision, or provision of such description, as may be specified in the scheme for the purposes of this paragraph.”

That is a rather clumsy way of saying that the Department shall include such other provisions as it thinks fit. The amendment will make that clear: it will tighten up the initial draft.

Clause 6(3) states that:

“The Department may vary any scheme made by it under this section.”

That is the same as saying that the Department can change subordinate legislation, which goes without saying as the Interpretation Act (Northern Ireland) 1954 enables all Departments to change subordinate legislation. Sometimes, stating something in legislation that is unnecessary can lead to legal arguments that it must mean something different. In this case, it does not mean anything different from what is in the Interpretation Act (Northern Ireland) 1954, therefore, the safest approach is to omit clause 6(3) altogether. That is what is being proposed.

The next amendment is to clause 10, which refers to functions in relation to operator’s licence authorising separate fares. This refers to taxi-operators who wish to provide a bus-type service. At present, they must obtain a Roads Service licence, which is basically a bus licence. They must also satisfy fairly rigorous criteria set out in the Transport Act (Northern Ireland) 1967.

The Taxis Bill means that it will be no longer necessary for them to obtain such a licence; they will

get all their licensing under the Taxis Bill. We have imported the same criteria from the Transport Act (Northern Ireland) 1967 into the Bill. Our intention is that someone who holds a Roads Service licence will not need to meet all the criteria again — there is no point in making someone jump through the same hoops twice.

Inadvertently, we exempted them from only one criterion, which was the suitability of routes. This amendment will restore the policy intention that those drivers who want to operate a bus-type service are exempt from all of the various conditions in clause 10. We have also included additional power to enable the Department to make further exemptions in regulations if it is thought to be necessary.

The next amendment is to clause 27(3), which outlines the time during which a licence will be suspended or curtailed. The amendment simply removes the reference to “curtailment”. The reason for that is that clause 26(4) already covers curtailment. Therefore, the amendment is not only removing duplication, there was actually a contradiction between the two clauses. Clause 27(3), therefore, will be left as the clause that deals solely with suspension.

The next amendment is to clause 37, which refers to powers of entry. The legislation states that:

“an authorised officer or a constable may ... inspect those premises and other item”.

However, clause 37(8) states that the powers of seizure extend to:

“any equipment or other items”.

Equipment had not been mentioned when the powers of inspection were referred to. Therefore, the amendment will ensure consistency in that it will make it possible to also inspect equipment.

Clause 42 refers to dealing with taxi touts. It provides an exemption to the offence of touting if it is permitted in regulations made under clause 20(2)(c). Clause 20(2)(c) refers to regulations dealing with taxi marshals. Taxi marshals, by their nature, will be touting; they will be trying to get people into taxis in order to clear the streets. Therefore, it is right that they should be exempt.

We also felt that there may be other situations and regulations where someone could be exempt. For example, we provide regulation powers for advertising. Therefore, in clause 42(3) we want to leave out “20(2)(c)” and insert “20.” If something is legally permitted, it should not be an offence under taxi touting.

Mr T Clarke: Could I get an explanation of that amendment? Can it be explained from the start again?

Mr McMullan: The Bill makes it an offence for someone to be touting for a taxi.

Mr T Clarke: What do you mean when you refer to “touting”?

Mr McMullan: I mean someone shouting for business on the street — letting people know that a taxi is available. That is not permissible at the moment, and it is not permissible in the Taxis Bill. We are including an exemption in the clause for taxi marshals. In future years, if they are brought in, they will be regulated by the Department, and their role will be to get people into taxis.

Mr Weir: At present, are there any taxi marshals, or is that a role that will be introduced in the future if the legislation is adopted?

Mr McMullan: There are currently no taxi marshals. The proposal is to introduce them in the future.

Mr Weir: Does the law on touting also include taxi drivers? Presumably, they are not allowed to roll down their window and shout that their taxi is available. If they did, would they be guilty of an offence?

Mr McMullan: Yes, that is correct.

Mr T Clarke: There is a problem with the wording of the Bill. Surely, it should make it clear that marshals are allowed to solicit taxis. The Bill appears to state that taxi drivers can solicit business. Who is to deem whether a taxi driver is doing that correctly or incorrectly? The wording is a bit loose.

Mr McMullan: If a taxi driver were to do that, he would be committing an offence.

Mr T Clarke: That is not what the Bill says.

Mr McMullan: Clause 42(1) of the Taxis Bill states that:

“a person who solicits any person to be carried for hire or reward in a taxi is guilty of an offence.”

Mr T Clarke: Yes, but we are talking about clause 42?

Mrs Adele Watters (Department of the Environment): Yes. Clause 42, subsection 1.

Mr McMullan: The word “person” covers taxi drivers.

Mrs Watters: The Bill intends to recognise the fact that certain situations in which someone solicits persons to be carried for hire or reward would be permissible. Mr McMullan’s point is that, in focusing on ensuring that the Bill does not criminalise taxi marshals, we lost sight of our policy aim, which was to ensure that advertising on a taxi or an advertising hoarding were permitted. Potentially, advertising could be regarded as soliciting also.

The Chairperson: Clause 20(2)(c) states:

“enforcing order at and regulating the use of places referred to in paragraph (a)”.

What does it mean by “places”?

Mrs Watters: The word “places” means taxi ranks.

The Chairperson: The Committee has heard that there are not enough taxi ranks. When the Bill refers to “enforcing order”, it does not refer specifically to taxi marshals. Potentially, anyone could solicit a taxi and claim that they were enforcing order.

Mr McMullan: They could only claim that if the Department makes regulations to allow them to do so. The regulations will stipulate who will be legally entitled to enforce order.

The Chairperson: Those enforcers of order will regulate and tout legally. How will it be ensured that they are not touting on behalf of a company or a person?

Mr McMullan: The Department will regulate for that. It may be that departmental marshals are appointed and that they will be only people allowed to enforce order.

Mrs Watters: Alternatively, representatives from a local council might carry out that role. Their training, type of uniform and activities would be tightly regulated. Regulating the enforcement of order at ranks means that that activity can be controlled. Currently, people may try to enforce order by claiming to be a taxi marshals, although were they to do that, they would be at risk of breaking the law on touting.

The Chairperson: Will you explain what taxi marshals would do? I am intrigued by the notion of how their role would work in practice, particularly if the number of taxi ranks is limited. Would taxi marshals be designated to work from specific taxi ranks?

Mrs Watters: In many British cities, queues generally develop at taxi ranks around closing time, when the city is busy and people are leaving — it is a night-time phenomenon. Many of those people have taken alcohol, which can result in allegations of queue-jumping. Taxi marshals, who are appointed by the taxi-licensing authority, the local council, or a combination of both, are on the scene, wearing high-visibility gear. Part of their role will be to ensure that the queue is orderly and that people get taxis as quickly as they become available. That makes it possible to tackle issues such as a driver refusing to take someone to Bangor unless he is paid £40. The aim will be to match people with available taxis as efficiently as possible.

The Chairperson: If you wish to build some elbow room into the legislation in order to introduce marshals in the future, what provisions would give them the necessary authority, and what powers would you conceive of them having? In addition, for the issues you raised, such as overcharging, would it be necessary to introduce a two-tier approach requiring enforcement officials — albeit reduced by 20% — as

well as marshals, and would that result in the replication of, or an overlap in, work?

Mrs Watters: We envisage distinct roles for both jobs. The marshal's role would be to keep order at the rank, match passengers to taxis and help to clear the town at night. Enforcement officers would enforce the regulations. To have enforcement officers marshalling at taxi ranks would not be a good use of that resource.

The Chairperson: I am intrigued. Perhaps you did not anticipate this question; however, if you build-in provisions for marshals and, in the future, they are dealing with issues such as keeping order or overcharging, which someone else is empowered to do, would there not be an overlap in duties, and what potential legal role — other than simply herding people into taxis in order to keep them moving — do you envisage for those marshals? Why should the concept of such a role be introduced at this stage if they would not be empowered to do anything?

A further element is that if marshals are employed by councils, as you said, some people might consider that to be an attempt by the Department to offload some of its responsibilities onto the local authorities — particularly in light of the oncoming review of public administration.

Mrs Watters: I do not envisage the marshals having any enforcement role. For potential issues, such as overcharging, the presence of marshals would be a deterrent. If a driver arrives at the rank and the next customer is waiting, the inference is that they will take that customer. The issue of refusing to take them unless they pay £40 will not arise. The idea is that the most a driver could charge would be the maximum fare. The marshal's role would be to act as a deterrent, rather than one of enforcement.

The Chairperson: But, if he cannot do anything about it —

Mr T Clarke: As soon as the industry gets to know that that marshal cannot do anything, he will be as useless as a sleeping policeman.

The Chairperson: They will just laugh at him.

Mrs Watters: The marshal may not be able to do anything at the time. However, information could be passed to the Department if specific companies refuse to carry customers because they are not prepared to pay more than the maximum fare or if a particular pattern of behaviour being is displayed at taxi ranks. There are ways to tackle such issues without giving enforcement powers to marshals.

Mr McMullan: We do not envisage marshals being enforcement officers. They would be used more in taxi-sharing schemes — to match people to taxis that are going to particular areas. They would not have a specific enforcement role. They would keep order at

the ranks. They would not enforce licensing or taxi regulations.

Mr T Clarke: However, you are portraying the marshals as having an enforcement role by saying that they would be at taxi ranks to deter certain acts from taking place. If that is the case, then there must be a perception that they have power to act. Once the industry knows that marshals have no power to act, they will be useless. Either they are at taxi ranks to get people into taxis and clear the streets, or they are there with an enforcement role. It has to be clear. If they have such a role, it must be clearly defined.

Mrs Watters: Their role will be clearly defined in regulations.

Mr T Clarke: We started by talking about touting and what the marshals can and cannot do. I do not think that the proposed amendment makes that clear.

In other Committees, we are trying to make things easier for organisations. I must admit that I am at pains to understand this provision, and taxi drivers will have difficulty in understanding it too. There will be problems if this is left the way it is.

The case is clear-cut: either taxi drivers are permitted to tout for business or they are not. If they are allowed, that should be clearly defined. Perhaps marshals should be allowed to tout for business at a taxi rank, but not drivers.

The Chairperson: Clause 42(1) states that:

“a person who solicits any person to be carried for hire or reward in as taxi is guilty of an offence.”

The issue is: if that person is guilty of an offence and he is observed by a marshal, the marshal should be able to do something about it. That is the problem.

Mr T Clarke: However, the effect of the amendment is to make it clear that a person may be exempt from a taxi touting offence if it is permitted in regulations made under clause 20.

The Chairperson: That is under clause 20(2)(c):

“enforcing order at and regulating the use of places referred to in paragraph (a)”.

That is where the concept of the marshals comes from.

Peter, you have been trying to get in for a while.

Mr Weir: I will perhaps add to the confusion.

I agree with Trevor and with the Chairman. More confusion is being caused than clarity given. I do not know why this amendment has come from legislative counsel, saying that clause 42 should include all regulations made under the whole of clause 20 rather than those made under paragraph 20(2)(c).

A wide range of potential regulations could be made under subsection 20(2) as a whole or under clause 20 as a whole. Why does the Department want to address

the issue of marshals in any provision other than paragraph 20(2)(c)? It strikes me that that paragraph is directly relevant; the others are not. I cannot envisage any set of circumstances in which the Department would want to make regulations for marshals in any other part of the Bill.

Mr McMullan: I agree. Marshals are covered under paragraph 20(2)(c). The other one we thought of was —

Mr Weir: If marshals are covered under paragraph 20(2)(c), then none of the other paragraphs in subsection 20(2) are relevant to marshals. Why change from a specific reference to paragraph 20(2)(c) to clause 20 as a whole?

Mr McMullan: The other one we thought might be caught was clause 20(2)(l), which relates to advertising. There could be an argument that someone advertising is actually soliciting for business.

Mrs Watters: Mr McMullan is suggesting that a more appropriate amendment, rather than reference to regulations in the whole of clause 20, should be to paragraphs 20(2)(c) and 20(2)(l).

Mr Weir: If it were paragraphs (c) and (l) there might be a little more logic to it. This might be pedantic of me, but I am not sure that regulations for advertising would be confused with touting for business. I do not think anyone would confuse the two: they are different. There remains, however, the separate point raised by the Chairman and Mr T Clarke, which is that people might find the wording that we now have confusing. It might create a situation where we have marshals who are virtually powerless.

Members must give a great deal of thought to that in order to ensure that we get it right. I did not see the point of opening the provision out from paragraph 20(2)(c) because that does not add anything.

Mr McMullan: It may be useful for members to ask questions as I go along, rather than leaving them all to the end.

Clause 53 is a technical savings provision for the existing taxi by-laws. The Taxis Bill will disapply the power under which a plethora of taxi by-laws were made. Therefore, the taxi by-laws must be underpinned by legislation to ensure that they will continue to be in force until such times as regulations replace them. Our amendment simply states that taxi by-laws will be treated as though they had been made under provisions in the Bill.

Mr Weir: May I have a point of clarification on taxi by-laws, because I do not know a great deal about them? Do those by-laws cover all of Northern Ireland or to specific areas?

Mr McMullan: Generally, they relate to taxi ranks, and they differ from one local council area to another.

Mr Weir: Therefore, the by-law for taxis in Fermanagh may differ, in part, from the one that applies in Magherafelt?

Mr McMullan: Yes.

Clause 55 is the interpretation clause to which we propose to add a definition of the word “notice” to clarify that we mean notice in writing. If a driver’s licence is to be revoked, suspended or curtailed, the Department must give “notice”. As the driver’s rights flow from that notice, it is an important legal document — from date of receipt, a driver has 21 days to appeal before the decision takes effect.

There is a small amendment to clause 57, which the commencement clause. It is normal drafting practice for commencement and interpretation provisions to come into effect immediately, or shortly after, a Bill receives Royal Assent. We missed that point when the Order was converted into a Bill for the Assembly. Therefore, as things stand, the clause is potentially embarrassing to the Department because without the power to make commencement orders, even if we get the legislation right, we may not be able to act. It is one of those critical amendments I mentioned earlier, and we definitely want it to be included.

Mr Weir: The proposed amendment will exempt four sections. Does the wording of the amendment have a bearing on when those four sections will come into effect?

Mr McMullan: Yes, the amendment means that those four sections will come into effect when the Bill is granted Royal Assent — and every other section will come into effect on such day, or days, as the Department may by order appoint.

Mr Weir: Presumably it is standard practice that if no provision is made for a section to come into effect on a named day, it comes into effect immediately?

Mr McMullan: Yes.

Schedule 2 to the Bill details minor and consequential amendments. Paragraph 2 refers to Article 66A(1) of the Road Traffic (NI) Order 1981, which relates to car-sharing arrangements. This amendment clarifies that the definition of the word “taxi” will be as defined in the Taxis Bill. When cross-referencing legislation, it is important to ensure that a wrong definition is not referenced: for example that the definition of taxi is not taken from the 1981 Order.

We are adding one more repeal in schedule 3 of the Bill. This is a provision from the Road Traffic (Amendment) (Northern Ireland) Order 1991, which deals with taxi licences. That provision is no longer needed, because the taxi licence will be covered in the Taxis Bill. It is a repeal that was not spotted first time round.

There is then a run of amendments relating to all references to offences in the body of the Bill. We have referred to the mode of trial and the penalty for each offence in the body of the Bill. However, the drafting convention for road traffic legislation is that the penalties are set out in schedule and should be put into a road traffic offenders Order. It is handy for practitioners to know that all the road traffic offences and penalties are listed in that Order. We have done both in the draft: we have set it out in schedule 1, and we have also set it out in the body of the Bill.

On several occasions, the Bill refers to a person who is:

“guilty of an offence and liable on summary conviction to a fine not exceeding level 3”,

or whatever. However, it is unnecessary to state that wording in the body of the Bill when it is also at schedule 1. While the duplication is not wrong, the amendment will make the Bill consistent with all other road traffic legislation.

The final amendment is a consequential amendment to section 37A of the Disability Discrimination Act 1995 and relates to the carrying of assistance dogs in private-hire vehicles. The concept of private-hire vehicles is no longer in the Taxis Bill and, therefore, the terminology has to be changed to cover the new legislation that will be introduced.

The previous witness mentioned assistance dogs. The Department has already drafted regulations under section 37, and the SL1 will be coming to the Committee in the next couple of weeks, which will basically say that no one can charge to take an assistance dog in a private-hire taxi.

Mr T Clarke: Can drivers refuse to do that?

Mr McMullan: No.

Mr T Clarke: Do the regulations deal with refusing to carry an assistance dog as opposed to charging?

Mr McMullan: Yes. Drivers cannot refuse and they cannot charge extra. That is all part of the regulations.

That completes the proposed amendments. Most of them are fairly small, but they iron out some ambiguities and will help us in future.

The Chairperson: Thank you, Adele and John. If members do not want to add anything or seek clarity on any issue, we will move on to the enforcement issue that arose last week.

I thank Mr Stephen Spratt and Mr John Martin for attending. I understand that you work in the enforcement section of the Department — so that section will be 50% down today. I invite you both to say something about enforcement and how you are fixed at the moment. I presume that you have been briefed before coming today. Time and again, when the

Committee has been taking oral evidence, enforcement has cropped up as a major recurring theme. Last week a witness said that the enforcement section was down another member — and it was a small team to begin with, which is another issue. The Committee would like to hear about your role, and members will raise concerns about current and future enforcement. Much of the Taxis Bill rides on having proper and adequate enforcement and dedicated resources. Do you have any sequence for speaking?

Mr John Martin (Department of the Environment): We will give the Committee a 10- to 15-minute talk on the background of enforcement and what we are doing. We will then take the Committee through the Bill and how we see enforcement being taken forward. We will present four key topics and then answer any questions that members might have. The issue of having four members of staff will be covered in the presentation.

The Chairperson: OK. Please go ahead.

Mr Martin: First, I would like to thank the Chairperson and the Committee for giving us the opportunity to give an insight into enforcement and to show what we have been doing to date and what we will be doing after the Taxi Bill becomes law.

The first key subject is the utilisation of additional resources made available to DVTA enforcement in 2003. Members who were in the Assembly then may recall that the taxi-licensing fee increased by £20 to provide additional funding.

Prior to 2003, taxi enforcement was undertaken by the DVTA on an ad hoc basis, and it was given a relatively low priority in comparison to goods vehicle or bus enforcement. Concerns about the lack of enforcement were elevated to a political level by the industry, which set out that DVLA did not have effective strategies to deal with the unlicensed sector, estimated to be around 40% in 2003.

The industry also felt that enforcement was too focused on volumetric targets, which involved the systematic checking of licensed taxis, while illegal taxis drove past because they had no signs on them. To improve the situation at that time, additional funding was made available to DVTA through an increase of £20 on the cost of the taxi-licensing fee and an overall increase in the budget was provided by the core Department. As a result of the additional revenue, DVTA established a dedicated taxi enforcement team in 2003. One of its main focuses was to deal with the unlicensed sector of the industry.

The team, which consisted of four full-time dedicated officers, was based in Belfast. However, it had another 21 enforcement officers to call upon. Those 21 officers dealt mainly with goods vehicle and bus enforcement. However, the team was able to call

upon them to undertake larger-scale operations around the Province.

I will provide details of the number of taxis that have been licensed over the last four years and the income generated from that, because some concerns were raised about the amount of revenue being generated from the extra £20 and the use to which it was being put.

I will give a couple of examples: in 2003-04, 7,167 taxis were tested. The actual income from that equated to £143,000, while the Department spent £267,000 on taxi enforcement. In the financial year 2006-07, 10,334 taxis were tested and the income from that — which included the £20 extra on the licensing fee — was £206,680, and the Department spent £294,000 on taxi enforcement.

Over the past four years, 35,475 taxis have been tested, generating a total income of £709,000, and the total expenditure on taxi enforcement has been more than £1 million. More has been spent on taxi enforcement than has been received in revenue from the extra £20 taxi-licensing fee.

The Chairperson: Will you be expanding on those figures, because a substantial amount of money has been spent on enforcement? The Committee would be anxious to hear how that money is being spent. If four members of staff are engaged in enforcement, is the rest of the money being spent on administrative costs or elsewhere?

Mr Martin: Spending involves a combination of the salaries for the full-time enforcement officers; the cost of administrative support; the cost of processing prosecutions, and the costs of travel, subsistence, overtime, equipment, vehicles and some management charges that are built in.

The Chairperson: How many members of staff is that for in total?

Mr Martin: In 2003, there were four permanent members of staff who dealt with enforcement for the taxi industry.

The Chairperson: That amounts to £250,000 apiece.

Mr Martin: When one considers the four members of staff and all of the ancillary activities; such as processing prosecution cases, administrative support and accommodation costs —

The Chairperson: Do other staff process prosecutions?

Mr Martin: An enforcement officer's role is to investigate levels of non-compliance and complaints. He will make detections at the roadside and gather sufficient evidence. If there is sufficient evidence to warrant prosecution, the officer will generate the initial file. The file must go through an administrative

process and is then passed to the Public Prosecution Service (PPS). When the enforcement officer completes the initial file, it goes through an administrative process and a management process in order to ensure that when it reaches the PPS —

The Chairperson: Is that a departmental process, rather than that of the specific section? In other words, is all the money that is spent classed as central departmental expenditure, which is not specific to the branch that deals with enforcement of taxi regulations?

Mr Martin: The money has always been spent by the enforcement branch of the Department, which completes the entire process.

The Chairperson: How many staff would be involved from the initiation of the process; for example, from when an enforcement officer stops a driver because there is a problem? How many enforcement branch staff would be involved in the process to deal with the matter before it is passed on elsewhere? How many staff would be employed by the branch?

Mr Martin: The total staff complement for enforcement is 32.

The Chairperson: Does that include administrative staff and officers on the ground?

Mr Martin: That includes administrative staff, officers on the ground, the management structure, policy staff, and so on, to cover the enforcement section's full remit. The section is not solely staffed by the officers who stop vehicles at the roadside. There is a support structure of administrative staff, management staff, staff who develop policies for stopping vehicles and for dealing with investigations. A large amount of money is associated with non-productive activities.

There are four full-time members of staff. However, staff are regularly brought in from other teams to supplement the four full-time staff during, for example, large-scale operations in Belfast, Derry or Newry, or perhaps during covert operations that require more than four staff. Therefore, there might be eight staff during such operations, four of whom were from the taxi team and the other four from the goods teams. That is the cost for all staff, taking into consideration all of their salaries, when they have been involved with taxi enforcement. It is not just the salaries of the four full-time staff, but also includes costs for the time spent by additional staff on taxi enforcement.

In 2003, the DVTa realised that the previous approach to enforcement did not deal with what was required. Officers were carrying out high visibility checks while wearing yellow coats. The legal taxi industry — those drivers who had signs, licences, and so on — had nothing to fear. However, they got caught up in the checks, while the illegal drivers, who did not

have signs, were harder to identify and simply drove past.

Therefore, in order to utilise the new taxi enforcement team effectively, it was necessary to move the focus from working in a high-profile capacity to working in a more covert, investigative unit. That proved to be an effective approach towards securing reliable, first-hand prosecution evidence. Previously, passengers were reluctant to provide statements of evidence or to attend court as witnesses.

The team also adopted a more proactive and reactive management approach in response to complaints and intelligence, using the national intelligence model to grade and prioritise high-level work priorities. An example of high-priority work in 2003 was to target illegal taxi drivers, disqualified drivers, and drivers who operated poorly-maintained vehicles.

The enforcement office received a number of complaints that enabled us to target particular taxi depots that were reportedly operating illegal taxis. Since April 2003, the DVTA, working in partnership with the PSNI, has carried out 641 taxi operations and checked around 13,000 taxis. That has resulted in 291 commercial taxi radio sets being seized by the police, under the Police and Criminal Evidence Act 1984, on behalf of enforcement officers. Upwards of £150,000 in fines has been generated; 1,650 penalty points have been awarded to taxi drivers; and 80 drivers have received a driving ban in that period. In total, there were 824 prosecutions for taxi drivers who had no public-service licence, 513 prosecutions for those who had no driving licence, eight prosecutions for those driving while totally disqualified and 742 prosecutions for those who had no insurance. That gives the Committee an indication as to what the enforcement office's activities have been since 2003.

In addition, we see education and communication as key in addressing the problems that exist. Best practice has traditionally been developed through experience coupled with a combination of internal and external training. The DVTA has made a significant investment in training taxi-enforcement officers; all officers are required to obtain the Advanced Professional Certificate in Investigative Practice, which is equal to NVQ level 5. That is a high standard, which all our taxi-enforcement officers have attained.

Introducing effective systems of educating drivers and operators was also made a high priority, which resulted in the introduction of advice being routinely given during roadside spot checks. Frequent meetings have been hosted with the industry at all levels so that people are aware of their legal requirements. The DVTA also committed resources to promotional events, which aimed to raise awareness of taxi compliance in the greater public arena. Examples of

those include the 2005 Motorplus show and the 2006 DVA Roadworthiness Open Day, in which the taxi industry participated.

It must be remembered that the police can enforce all taxi regulations as part of their normal activities. The enforcement office has also undertaken a number of training sessions with the PSNI to train existing officers and new recruits on taxi regulations.

We are also focusing on forging a strong alliance with the taxi industry; to that end our enforcement officers have established a professional relationship at all levels with industry representatives.

I am aware that taxi-industry representatives have submitted oral evidence to the Committee, which included the claim that the DVA intend to reduce the number of dedicated enforcement officers from five to four — something that the Chairperson mentioned earlier. The DVA recently completed an evaluation of its high-level business priorities in the enforcement section. That exercise identified strong business grounds for a temporary restructuring of the section. That was done by reducing the number of enforcement teams dedicated to goods-vehicle enforcement from two small teams to one large team based in Craigavon. The evaluation also supported increasing the number of enforcement officers presently attached to the taxi-enforcement team; so as opposed to its members going down to four it has now gone up to over five.

The Chairperson: How much over five?

Mr Martin: Five plus an allocation of 0.3; one person, who manages the team, has a third of his time dedicated to being an enforcement officer.

The Chairperson: But he is a manager, not an enforcement officer. Is he doing that for one third of his time?

Mr Martin: That is correct. So the complement has not gone down to four; it has gone up slightly.

The Chairperson: The complement is the same as it was before.

Mr Martin: Not exactly; the team used to have four members.

The Chairperson: It had four members, but before that the team had five members. That is what the Committee is discussing.

Mr Martin: In 2003 there were four members. Between 2003 and 2007 the number of members rose to five, which is the level it is staying at. We are also allocating an additional resource of management.

The Chairperson: To be fair, the Committee is discussing the situation in the last year, not about what it was four or five years ago.

Mr Martin: It is currently sitting at five plus, with a management resource of one third.

Mr T Clarke: Can we get into this matter before we hear the rest of the presentation? I am grey, and I am going to be completely bald before this is over? I am totally frustrated. The Committee has had various presentations from the taxi industry that have reported consistently that there are not enough enforcement officers. With no disrespect to the two gentlemen here, because they are only the messengers, they are going to be shot today, because they are telling us what a wonderful job they are doing, and yet we have had the whole taxi industry saying what a poor job is being done by the enforcement section. Can we look at that matter, Mr Chairman?

The Chairperson: Yes. Please complete the presentation, Mr Martin, and we will come back to that point.

Mr T Clarke: Do you have any tablets, Mr Chairman?

Mr Martin: One of the key weaknesses within the existing taxi legislative framework is that anyone wishing to operate a taxi depot can do so provided they obtain adequate planning permission and a commercial taxi radio licence so that they cannot operate out of just any depot. Officers have encountered illegal taxis operating and controlled from an array of premises that range from Portakabins to private dwellings in residential housing developments. Those businesses operate free from regulatory control and often from premises that do not meet suitable accessibility standards.

The big weakness with the existing system is that there is no regulatory provision to make taxi depots accountable for the types of taxis that carry passengers on their behalf, or keep records of customer bookings, etc.

Enforcement officers are currently powerless to stop repeat offenders. We stop taxi drivers on a regular basis who have flouted the regulations on two or three occasions, and continue to do so. We cannot physically put them off the road. All we can do is gather sufficient evidence and process the cases through to prosecution stage. That is another serious weakness.

We do not have any jurisdiction over taxis that are sitting in the Harbour Estate, for instance, where they service a lot of the cruise liners, or at the Odyssey complex, which is part of the Belfast Harbour Commissioner's land. We have no authority to deal with taxis operating illegally at those venues. There are also not enough taxis to deal with public demand on Friday, Saturday and Sunday nights between the hours of 8.00 pm to 4.00 am, and that entices people to operate illegally.

Enforcement officers also do not have the authority to issue fixed-penalty notices. Currently, if we detect an offence at the roadside we have to go through the court process, which is long, costly, laborious and

time-consuming. We are in the process of looking at introducing a fixed-penalty system.

The enforcement office's strategy in combating future illegal activities includes proposals to recruit additional staff to enable us to deal with the issues in the taxi industry. We have had only between four and five members of staff over the last few years, and that is not sufficient to deal with the problems. Our staff have been successful, but there are nowhere near enough of them, and that is recognised and appreciated. We intend to establish a more regionalised approach to deal with the problems, with teams in Belfast, the north-west and the west of the Province.

As I have already said, we hope to adopt a fixed-penalty and deposit-scheme approach, which will allow us to deal with offences more efficiently and effectively, as opposed to all our cases going through the courts, which takes a lot of time and money.

We also intend to introduce live access to data at the roadside through the use of laptop computers, and will be investing in new equipment and technology. We have purchased two high-visibility liveried vehicles, which have proven to be quite effective at the roadside, in highlighting to the industry that enforcement officers are trying to deal with the problems. We have also recently purchased two automatic number-plate recognition cameras that will enable us to target the unlicensed sector of the industry.

As I have said, we are hoping to recruit 15 to 18 members of staff.

We are currently working with the Department to determine how those staff will be funded to enable us to deal more effectively with the issues in the industry. One of the main reasons for having the Taxis Bill in the first place is to strengthen the regulatory framework for taxis and enforcement. If regulations and powers were in place to enable us to deal with the problems in the industry, and if we had the necessary staff, we would not need the Taxis Bill. That is one of the main reasons why we are here.

The Chairperson: I would like some clarity on recruitment. You said at one point that you were hoping to recruit, and then, on another occasion, you said that you were proposing to recruit. At what stage is the recruitment process, and what type of staff would be recruited?

Mr Martin: The current position is that we have assessed the provisions in the Bill. We are fully aware of the difficulties in the industry with unlicensed and defective vehicles. We have worked up figures in relation to the number of staff that we perceive that we need to deal with those issues and to enforce the new licensing regime effectively. We have identified the number of staff that we need and that that they will work on a regionalised basis, and we are in the process

of considering how the salaries for those staff will be funded.

The Chairperson: At this stage, no recruitment process has been started, then.

Mr Martin: No recruitment process has started because the Bill has not come into effect yet. We are simply carrying out the initial development work.

The Chairperson: So your recruitment is based solely on the Bill?

Mr Martin: Yes.

The Chairperson: So, at the moment, you do not identify any weaknesses or shortcomings in enforcement?

Mr Martin: No, that is not what I am saying. My point is that the current regulatory framework is deficient. We recognise that to bring this matter forward, we need additional powers. That is one of the main reasons for the Taxis Bill. We need additional staff to ensure that when the enhanced licensing regime is introduced, it can be effectively regulated. At the moment, we do not have sufficient funds to recruit additional staff. We will make representations to the Department that we need x amount of money to effectively regulate the provisions of the Bill.

The Chairperson: Let me just get this clear; at this stage, you are working up a case, but you have not yet made that case to the Department?

Mr Martin: It is at an advanced stage. I cannot say what stage it is at exactly, but it is a very advanced stage. We are hoping for a positive response from the Department on funding.

The Chairperson: With the greatest of respect, you cannot get a positive response from the Department if you have not submitted a proposal.

Mr Martin: It has been submitted.

The Chairperson: It has? Sorry, but I thought you said that the case was at an advanced stage.

Mr Martin: Yes, but it is not finalised.

The Chairperson: Sorry, but what part is not finalised?

Mr Martin: The actual approval.

The Chairperson: Do you mean the approval from the Department?

Mr Martin: Yes.

The Chairperson: So, you have submitted a bid to the Department for extra funding, and the Department has not responded yet.

Mr Martin: Final approval has not been given.

The Chairperson: OK, that is a bit clearer.

Mr Boylan: I was just trying to make some sense of the whole issue, to be honest.

Mr Martin, you gave figures over a four-year period, and you mentioned the cost of enforcement and the money generated by enforcement. You also said that 500 people were caught taxiing without a licence. Could you go through those figures again, please? Can you tell me how much, on average, has been generated through enforcement, and whether that money has been put back into enforcement?

Mr Martin: We have carried out 641 taxi operations since April 2003. We have also checked 12,926 taxis. During that period, 291 commercial radio sets — the radio sets that they use to communicate — have been seized from taxi operators. Some 997 drivers have been reported for prosecution.

During that time, fines totalling £147,000.97 were imposed. Payment of fines does not go into enforcement but into the consolidated fund. The courts awarded 1,654 penalty points for various offences. Immediate driving bans were given to 80 drivers, either as a result of an offence or because they already had sufficient penalty points on their licence to lead to a licence suspension.

Of the 997 drivers who were prosecuted, the range of offences was as follows: 824 did not have a public service vehicle licence, which is the licence for the taxi; 513 did not have a taxi driver's licence; eight did not have a driving licence as they had been disqualified from driving, and were prosecuted again for not having a licence, and 742 had no insurance.

Mr Stephen Spratt (Department of the Environment): The figure of 742 uninsured drivers is a good benchmark, as they did not have a PSV licence either. Therefore, 742 drivers were working as taxi drivers in private saloon cars and carrying out a stealth activity in the black economy, which the normal eye could not detect.

That re-emphasises the amount of resources that it took to enable officers to collect satisfactory evidence for the higher reward test. We are highly visible when we stop a vehicle; normally, the driver will say that the passengers are his friends, and the passengers will say that the driver is giving them a lift. In cases where passengers have disclosed that the vehicle is a taxi, and have asked us to get them another taxi, they were not prepared to take the case to the next stage and go to court. In order to thwart that, our staff must operate in a stealth capacity so that they can gather evidence first-hand. Using legislation such as the Regulation of Investigatory Powers Act 2000 and putting undercover operatives on the ground is expensive and convoluted, and has resulted in this process.

Pre-2003, we made detections that resulted mainly in apparent offences. We had enough evidence to

strongly suggest that the offenders were operating illegally, but such cases did not go to court because they did not pass the evidential test. We are seeking to impress upon the Committee that the 742 drivers who have been picked up operating without insurance also did not have a PSV licence, and that the vast majority of them did not have a taxi driver's licence. However, because that licence is so easy to obtain they could get it in any case. Some of them do not want a licence because that may compromise them by alerting the authorities to the fact that they work elsewhere. There are various reasons why some have driving licences and some do not.

The Chairperson: How many of those 742 drivers were exclusively picked up by the police, with no involvement from your organisation?

Mr S Spratt: None: those figures represent our staffing resources.

The Chairperson: Therefore, there is a bigger problem potentially, and other offenders could have been picked up by the police.

Mr S Spratt: The figures do not reflect detections by the police. From the perspective of our operational protocol the role of the police is to provide operational support. When we put operatives on the ground to travel in taxis, the police are there to uphold the law and to provide operational support. In certain areas, detecting bandit operators involves going through a plethora of proper planning and preparation before the operation take place.

As John has highlighted, we also have to draw in resources from other sections and utilise 21 other members of staff: in certain operations there may be four staff on the ground and an additional eight in the background who carry out pre-surveillance work, provide surveillance, and give support by speaking to passengers after the event. There is a lot of work involved to support the four staff on the ground. The back-end is much bigger than the just the four staff who are upfront.

Mr Martin: To give the Committee an insight into some operational tactics; prior to 2003 staff used high-visibility jackets. They stood on the roadside and, essentially, only checked vehicles that looked like taxis.

It is a more resource-intensive activity now. We are in plain clothes; we are phoning depots and posing as passengers, and taking rides in taxis because that is the only way that we can obtain evidence that people are operating illegal taxis.

Whereas, if we are wearing high-visibility jackets and speak to a driver, he might say that the vehicle is not a taxi. We might speak to the passengers, who will say that the driver is just a mate. However, because there are about 15 complaints in the system, we know

that the driver is providing a taxi service but we cannot get the evidence to take a case to court. It is a resource-intensive activity.

Mr Boylan: I wondered where the money to finance that operation was coming from. You mentioned a strategy. Are you thinking about including the taxi marshals in the enforcement system? Taxi marshals were mentioned earlier, but who is going to stop a person touting for one firm or another? Would it not be better to give the marshals enforcement powers, rather than having to employ enforcement officers to go and stand up to those people. At the minute, you cannot operate from the Harbour Estate and at the Odyssey.

Mr Martin: Hopefully, the Taxi Bill will change all that.

Mr S Spratt: I would like to comment on the role of the marshal, having given serious consideration to the work that our staff do. For example, if one person is sent out to marshal a taxi rank and carry out enforcement activities in the city centre at 11.00 pm, midnight or 1.00 am — when there might be many intoxicated people and serious potential for public order offences to be committed — health and safety considerations will limit what he or she can do.

I see the marshal's role as being partly to interface with the customer; he will exist predominately to bring order to the taxi ranks. He can also provide an interface between drivers and the Department. We can build into our strategy a reactive strand whereby, following consultation with marshals and drivers on local issues that build up at ranks, we can enforce those issues.

If the marshals were to take up enforcement responsibilities — given the splits and different views and factions in the industry at the moment — it would quickly become difficult for them to carry out that role on health and safety grounds alone. They would probably require permanent police support eventually.

Mr Weir: Before I move onto the crux of the matter, which is the potential recruitment of new staff, I want to clarify a point that confused me slightly during the evidence. In answer to a previous question, you mentioned that you had more success when you switched from a high-visibility approach to a more subtle approach. When enforcement officers wore the high-visibility jackets they had limited success, whereas officers in plain clothes were more successful. It strikes me that, when tackling crime, you can go down one of two routes. For example, if there is antisocial behaviour in an area, sometimes the high visibility of police can act as a deterrent or shift people on. However, it strikes me that the most productive route in your case is that of plain-clothes, undercover enforcement.

What surprised me was that you mentioned that you intended to get two high-visibility vehicles. I would have thought that, rather than leading to more prosecutions, that would be counterproductive. If I were an uninsured or unlicensed taxi driver, and I were to spot a high-visibility vehicle and enforcement officers, I would get offside very quickly.

Mr T Clarke: You would probably tell others too.

Mr Weir: Yes. What was the thinking behind that intention?

Mr Martin: We can use an array of possible tactics when we are planning operations. For example, if we are going into Belfast to detect unlicensed taxis, we might deploy a covert approach and phone an operator or try to pick up a taxi on the street. The benefit of using the high-visibility vehicles is that, just as you and your colleague said, we can go into an area two or three times a week, and unlicensed or uninsured drivers, or those with defective vehicles, will see the vehicle, and they might go home. If they see the vehicle regularly, it may deter them from operating illegally. We would use a combination of the two approaches.

Mr Weir: When the police have been highly visible in a specific area to try to — for want of a better term — scare off crowds of young people, it can work for that specific area. However, the crowd congregates elsewhere. The danger is that those high visibility vehicles will simply shift the problem elsewhere. For example, if there is a problem outside Antrim railway station, would that problem not simply be shifted elsewhere?

Mr Martin: We are not saying that the high visibility vehicles are a sole approach; they are used in conjunction with other approaches.

Mr Weir: Problems have been raised about enforcement. To be fair, several witnesses made complimentary remarks regarding the work that the enforcement officers were doing. However, owing to a lack of resources, they are unable to stem the flow.

What is the scale of the bid for the 15 to 18 members of staff? Is it simply going to involve the relocation of existing resources in the Department, or is a bid going to the Department of Finance and Personnel? Having been involved with another organisation, my experience has been that when one Department eventually gives a green light for a bid, a business case then also has to be approved by the Department of Finance and Personnel.

How many of the 15 to 18 members of staff would actually be enforcement officers out on the ground? You have been getting favourable responses from the Department, but, as yet, you have not got approval. If

you get approval, what would be the likely timescale for the new members of staff to become operational?

Mr Martin: Those staff will be on the front line dealing with the issues at the roadside. We are not ashamed to say that we have done a reasonably good job. However, it has to be taken into consideration that we have had extremely limited resources, and have been working with legislation that was inadequate. However, a number of staff will be working on the front line.

We are hoping to appoint staff and to have them ready for duties prior to the implementation of the Bill. In other words, when the Bill becomes law, the staff will be trained and ready to roll.

Mr Weir: When do you think that that will happen?

Mr Martin: That depends on the progress of the Bill. We think that it may be late 2008 or early 2009. We are hoping appoint the staff in middle or latter half of 2008.

Mr Weir: What is the overall value of the bid? What is the amount in the business case that you have submitted?

Mr Martin: The business case not only reflects additional resources for taxi enforcement; it also reflects additional resources for other enforcement vehicles that we have to increase our activities on. It is in the region of 15 to 18 members of staff.

Mr Weir: Will you tell the Committee what the monetary resource is?

The Chairperson: It may be useful if the witnesses provided the figures to the Committee in writing.

Mr Weir: I do not want to get approximate figures. Will you provide those figures in writing? The figure of £1.5 million was mentioned. I presume that that will be being requested from the Department of Finance and Personnel.

Mr T Clarke: Can I get clarification; are you both enforcement officers?

Mr Martin: Yes, we are enforcement officers and managers. We have come through the enforcement field as operatives, and we are now managers in the enforcement regime.

Mr T Clarke: Therefore, are you no longer enforcement officers?

Mr Martin: We still undertake enforcement activities.

Mr T Clarke: I am getting confused again. Are you still one of the four enforcement officers?

Mr Martin: Stevie is the one third — he is the senior manager in charge of the enforcement section.

The Chairperson: Were you in the enforcement section before?

Mr S Spratt: Yes, I was an enforcement operative a few years ago.

The Chairperson: Have you been there all along?

Mr S Spratt: I still invest my time going out with the staff on occasions.

The Chairperson: Have you consistently been in enforcement?

Mr S Spratt: Yes.

The Chairperson: Thank you very much for giving us your time. We look forward to getting further detail from you.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

18 October 2007

HEALTH AND SOCIAL CARE BILL (NIA 2/07)

Members present for all or part of the proceedings:

Mrs Iris Robinson (Chairperson)
Mr Thomas Buchanan
Dr Kieran Deeny
Mr Alex Easton
Mr Tommy Gallagher
Mrs Carmel Hanna
Mr John McCallister
Ms Carál Ní Chuilín
Ms Sue Ramsey

Witnesses:

Mrs Joyce Cairns	} Department of Health, Social Services and Public Safety
Dr Norman Morrow	

The Chairperson (Mrs I Robinson): I welcome the departmental officials, who are here to brief members on the forthcoming Health and Social Care Bill. The officials will brief the Committee, and then members may ask questions if they wish.

Ms Joyce Cairns (Department of Health, Social Services and Public Safety): We are here to bring before the Committee a proposal to include certain devolved matters in a Westminster Bill. The provisions of the Bill that involve devolved matters are the abolition of the National Biological Standards Board, the regulation of the healthcare professions, and the creation of a new health and adult social care regulator — OFCARE — which will be for England only. We should also mention a proposal for a health and pregnancy grant, which will be a matter for DSD. We mention that because the Bill straddles the roles of a couple of Departments, and that must be mentioned in respect of any composite Bill that will go forward.

Two substantial reviews, one of medical regulation, and one of non-medical regulation, have taken place.

Recommendations were drawn from those reviews, and they appeared in a White Paper, which was published in February 2007. Regulation of all the healthcare professions, except pharmacy, is currently carried out on UK-wide basis. Pharmacy is the only healthcare profession that is currently regulated on a Northern Ireland basis. The Bill is intended to allow harmonisation.

Northern Ireland must be included in the legislative base to enable detailed provisions to be taken forward at a later stage. The legislative provisions relate to enabling powers. The detail of what will be put in place to take forward the recommendations of the White Paper will be worked up by groups that the Department of Health in England is establishing. Those working groups will include representation from all of the devolved Administrations. There will be a few years of work in all of that, and no detailed measures are contained in the Bill — those are at a higher level. The Bill is enabling legislation; subordinate legislation would be taken forward at a later stage, when it is decided what particular measures will be put in place in England, Scotland, Wales and Northern Ireland.

Mr Gallagher: I presume that this is enabling legislation and that any further changes to it will be made after consultation with the Committee.

Ms Cairns: Yes, the matter would be brought to the Committee again at a later stage.

Ms Ní Chuilín: Is the legislation already in place in England?

Ms Cairns: It is planned that the Bill will go forward in early to mid November, so it is currently a draft Bill. The abolition of the National Biological Standards Board and the other measures are included in the draft Bill, but it is not yet finalised.

The Chairperson: The briefing paper on the Health and Social Care Bill states that the Pharmaceutical Society of Northern Ireland has been informed that the Minister is strongly minded to adopt the approach of the establishment of a general pharmaceutical council, covering the profession throughout the UK. Does that mean that that measure will be implemented?

Dr Norman Morrow (Department of Health, Social Services and Public Safety): The Minister has since had a discussion with the Pharmaceutical Society of Northern Ireland, which involved a presentation that it made to the Committee. He has indicated that he is minded in favour of a UK regulatory arrangement, which would bring all of the health professions into harmony because pharmacy is the only health profession that sits outside of such an arrangement. However, he has indicated clearly to the society that he has not yet made a final decision. He also said that it is his intention to seek the enabling legislation, but that is without prejudice to a final decision. The Department has since

had some correspondence from the society that states that it understands the need for regulatory provision, but has emphasised the point that that is without prejudice to the Minister's decision. It is enabling legislation.

Ms Ní Chuilín: I assume that this process is similar to the one that would apply to any other Bill. We are bringing together the enabling legislation in order to allow for a decision one way or the other.

Dr N Morrow: Yes. If we do not have the enabling legislation, a decision cannot be taken, unless, at a later date, legislative assent is required from the Assembly in order to introduce the elements that affect Northern Ireland.

The Chairperson: If members have no further questions, I thank Dr Norman Morrow and Joyce Cairns for their time in what was a relatively short and simple exercise.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR CULTURE ARTS AND LEISURE

Thursday 18 October 2007

LIBRARIES BILL (NIA 5/07)

Members present for all or part of the proceedings:

Mr Barry McElduff (Chairperson)
Mr David McNarry (Deputy Chairperson)
Mr Dominic Bradley
Mr Francie Brolly
Lord Browne
Mr Kieran McCarthy
Mr Nelson McCausland
Mr Paul Maskey
Mr Pat Ramsey
Mr Ken Robinson
Mr Jim Shannon

The Chairperson (Mr McElduff): The meeting is open to the public.

The earlier starting time was agreed because the Committee needed time to prepare before taking the Minister's evidence on the Libraries Bill. The Minister, Edwin Poots, is due around 10.45 am. Hansard will be in attendance at that session and this one. We need to discuss a number of issues and to agree our position and the line of questioning that we wish to pursue with the Minister.

The first issue is start-up costs. Many of the witnesses were concerned that the start-up costs specified in the explanatory and financial memorandum are inadequate. The figure has been put at £670,000. In a consistent line of questioning, led sometimes by the Deputy Chairman, we have asked about start-up costs.

The Committee wrote to the five education and library boards and the two unions asking them to estimate those costs. Responses have been received from three of the boards and from UNISON. UNISON states that it is not in a position to estimate costs. The Western and South Eastern Education and Library

Boards have provided a breakdown of the areas that need to be costed; however, without knowing the staffing structure of the library authority and other matters, they say that they cannot provide estimated figures. The Western Education and Library Board indicated that the cost of releasing one chief librarian under the 104-week scheme would be at least £120,000. The North Eastern Education and Library Board has provided costings under separate headings — its estimated total for start-up costs is £1.5 million. That is more than double the amount that the Department of Culture, Arts and Leisure (DCAL) has set aside. The Southern Education and Library Board had no comments, but said that it agreed with those made by the western board. The boards all referred to the Deloitte report, which indicates start-up costs of £965,000 in respect of support services; these also need to be taken into account as part of the overall start-up bill.

Other evidence that the Department may have underestimated start-up costs comes from the bids made in the October monitoring round. The Department submitted a bid for £550,000 to cover corporate services. The Committee wrote to the Department on 1 October 2007 pointing that out and asking whether it acknowledged that its original estimate was inadequate and whether it intended to alter the explanatory and financial memorandum accordingly.

We also asked whether the Department has made any provision for start-up costs beyond 2007-08. The response, dated 16 October, advises that anticipated expenditure on start-up costs — comprising salaries for the chief executive designate and her team, temporary premises and consultancy — amount to £350,000 up to the end of March 2008. There is a lot of detail about what we have discussed so far.

The Department also advises that:

“Ahead of a firm decision on the operational date for the Library Authority, we cannot be sure whether £670k is an under- or over-estimate; it will depend on the length of the start-up period and hence the length of time salaries and rent need to be paid. The proportion of these costs which fall in 2008-09 will be considered within the Comprehensive Spending Review (CSR) allocations.”

The Department was asked to say whether it would consider amending the explanatory and financial memorandum in the light of the issue around start-up costs. It has not answered that question. It refers to paragraph 14 of the explanatory and financial memorandum, in which it is noted that the Department:

“was undertaking an exercise to establish the options for future provision of corporate services to the Library Authority and the associated costs, both running costs and start-up costs. Figures for these start-up costs were not specified in the EFM because it was not possible to make an estimate until this exercise had been completed.”

The Department advises us that:

“The October monitoring bid for £550,000 for corporate services is to enable us to move ahead on establishing corporate services in this financial year if required. Start-up costs for corporate service provision which fall in 2008-09 will be considered within the CSR.

You also raise two other possible areas of start-up funding: for establishing the identity of the Library Authority, and for a redundancy scheme. An exercise to develop certain identity measures for the Library Authority is being considered at present. The case for redundancies will be considered in the light of the organisational structure which the Chief Executive (designate) is working on with senior library staff. This consideration will include the extent to which a redundancy scheme offers value for money.”

The key question this morning — and I do not think that I will get a “yes” to it — is: are members content with the Department’s response? Members will have the opportunity to discuss these issues with Minister Edwin Poots this morning. Does anyone want to make an initial comment?

Mr McNarry: From where I am sitting, the answer to your question is no. How deliberate or penetrable can we be with the Minister on this? We have asked the question — we know the answer. How big a point are we allowed to make? What the Department is telling us is a joke. It says that £350,000 has been set aside for something that is not in place yet, allowing this chief executive designate to recruit, to secure temporary premises and so on. Are we to believe that that is what start-up costs are about? Then it goes on to say that it does not know what the start-up costs will be. How clear do we have to be, as a Committee, in bringing our views to our colleagues in the Assembly on this matter?

Mr P Ramsey: I will do my utmost to be brief in questioning the Minister. However, there are a series of questions about consistency that I have asked the boards and that I propose to put to the Minister as well, particularly in relation to the provision of services and a range of other areas, such as literacy, the early-years programme and support services.

Mr McCausland: I wanted to ask a question about provision for the idea of a national library or reference library. In addition, are we convinced that a single library authority, as currently envisaged, is the best model and that it provides local input? We touched on that in our discussions on subregional structure, but perhaps we are not pushing it hard enough. We need answers because it is a process that we were not involved in.

Mr P Ramsey: Those are good questions.

The Chairperson: There is a series of other issues —

Mr McNarry: If I am reading the material correctly, the draft Budget will be launched in the Assembly on 25 October. Hip hip hooray. Where do we sit on that, Chairman? As a Committee, what is our position regarding that Budget? I am not deeply

appreciative of the UNISON letter, but it is to the point in that it says that the union does not have the information to be able to provide the Committee with estimated start-up costs. That sums up my view; I do not have the information to be able to tell myself.

However, the draft Budget will be published soon. What is the Committee’s job regarding that? Do we point out to the Department that as a result of the draft Budget, the departmental budget regarding start-up costs is up the shute?

Mr P Maskey: The Committee will not get the chance to address those issues until 15 November 2007. The Minister said in his letter that he is happy to come back and discuss the detail of the draft budget proposals for DCAL on 15 November. It will already have gone through at that time. Therefore, by 15 November, it will be a bit late.

The Chairperson: Let us focus on the questions that we are going to ask the Minister regarding the Libraries Bill. David, I presume that you are going to go strong on the start-up costs?

Mr McNarry: With the indulgence and help of the other members, I certainly want to take up the issue of start-up costs. I also want the legalities of this issue to be examined. Following the episode in the House on 16 October 2007 regarding legal issues, I want to be absolutely clear what the Committee’s position is.

Mr McCausland: Regarding the start-up costs, the letter from the Minister states: “The anticipated expenditure on this group of start-up costs up to the end of March 2007 is £350,000.”

Therefore, what the Minister is saying is that it depends on how fast people move. The assumption was that there was a start-up date of next year. The figure has now to be amended because the library authority has asked for extra money. Whether that extra money is actually needed depends on how quickly the authority can get up and running. How did the Department manage to get it so badly wrong?

The Chairperson: That is a good question. It does seem badly wrong.

Mr McCausland: Yes. I was watching the Committees at Westminster the other night on television. We are quite gentle; they are savage people.

The Chairperson: There are honourable exceptions. Some people are tough enough here as well.

Mr McNarry: We should pretend that they are the Northern Rock boys sitting facing us. That is the Committee that I was watching, and I thought that it was brilliant.

Mr McCausland: It was like blood sport.

The Chairperson: Good luck to both of you.

We will move on to detail the second general issue that we will be considering with the Minister this morning, which is the estimated savings that are specified in the explanatory and financial memorandum. The estimated savings are £0·6 million for 2009-10 and £1·2 million for 2010-11. Witnesses are concerned that the Department is overestimating the savings that can be made, and underestimating the start-up costs.

The Committee wrote to the Department asking for a breakdown of the savings. The Minister stated in his response that:

“No further breakdown of the estimated efficiency savings is available. The estimate was not based on specific costings; therefore, it will not commit the new Library Authority to particular decisions. Projected savings on administration and possible surplus premises will become clearer when the organisational design and staffing structure of the Library Authority is determined.”

The Committee’s letter of 8 October 2007 asked the Department to provide a detailed explanation of how the estimated savings for the library authority were calculated, with a breakdown of the £0·6 million for 2009-10 and the £1·2 million for 2010-11. The Department responded, stating that:

“Estimates of efficiencies were required in 2006 for the Reform Programme, which anticipated savings in administration from the RPA, and transferred to the planning exercise for the Comprehensive Spending Review. The estimate for efficiencies —£600k for 2009-10, rising to £1·2 million in 2010-2011 — was based on a set of assumptions, which were set out in earlier correspondence to you, related to merging 5 library services into one. It was recognised that it would take time to deliver on efficiencies, and none were taken for 2008-9, the expected first year of operation of the Authority.

The estimate was not based on specific costings and therefore does not commit the new Library Authority to particular decisions. The savings are separate from the additional monies which will be required by the Library Authority to cover the corporate services functions.

Projected savings on administration and from possible surplus premises will become clearer when the organisational design is determined.”

Members may wish to ask the Minister to remove from the explanatory and financial memorandum the claim that efficiency savings will be made, given that the figures are not based on any specific costings and that the Department will not commit the new library authority to particular decisions. Have members any comments on that?

Mr McCausland: The Committee received that letter only this morning. It says that the figures were set out in earlier correspondence, but it does not give the date of that correspondence. How are we meant to know what it said?

Mr Shannon: I would like to see those figures on the first- and second-year savings. I believe that they were £0·6 million and £1·2 million. Is that right?

The Chairperson: That is correct. The estimated savings are £0·6 million for 2009-10 and £1·2 million for 2010-11.

If there are no other questions, members will want to focus on that second broad area, using their own initiative and instinct. Those broad areas and the suggested questions will all inform the Committee’s approach.

The third issue is schedule 2. After last week’s meeting, a copy of the NIPSA legal paper was passed to the Department for onward transmission to the Departmental Solicitor’s Office. A response was requested from the Departmental Solicitor’s Office for today’s meeting.

The Department has provided a response advising that it separately requested the legal paper from NIPSA and that it is seeking a meeting between its legal adviser and that of NIPSA to discuss differences of opinion. The Department states that politeness demands that it waits for a reply from NIPSA and that time must be factored in for any meeting to take place before the Departmental Solicitor’s Office official will be in apposition to respond.

Mr McNarry: That is a time bomb, and the Department is playing pass the parcel with it. If I remember correctly, the Committee agreed — although I disagreed — that it would furnish departmental officials with the information that it had. I understood that there was urgency surrounding that, and I would have thought that the discussions that must take place between the two legal gentlemen were a done deal.

I do not want the Committee to get involved in a legal wrangle without knowing what it is doing. What advice is the Committee being given that would indicate whether or when it would be necessary to get its own legal advice to ascertain which of the two eminent lawyers is correct? The Department’s lawyer is saying that he is right; the other is not saying that he is wrong, but the issue is hanging in the air, and it is a game of pass the parcel. It is a time bomb, unless we get it right.

What I mean is that I see no sense in the Committee taking the risk to approve a Bill when it has evidence that the Bill may be sufficiently flawed that, as soon as it hits the streets, the Department will be taken to court. I am not prepared to do that. I am prepared to take certain risks, but that is a risk too far. I cannot, as a Committee member, pass a Bill knowing that there is already a legal challenge waiting outside the door.

At present, I am not satisfied that the situation has been dealt with.

The Chairperson: The fourth, broad area for scrutiny is the number of board members. Last week, Ken Robinson proposed that there should be 20

members, which achieved consensus around this table. It is thought that 20 members is a reasonable number. However, the Bill specifies that there should be a minimum of seven and a maximum of 14 members. How does the Committee propose to deal with that?

Mr K Robinson: Last week, we exercised the argument that given that the Committee wants to achieve geographical spread and range of interests, the practicalities of board meetings and the certainty that subcommittees will need to be set up in order to deal with issues such as finance. I still maintain that a membership of around 20 would allow for geographical spread, a range of interests and will allow the board to carry out its functions more effectively.

The Chairperson: Have members any further views on membership of elected representatives? The Committee has agreed that the board should include elected representatives — whom we understand to be members of local government authorities, such as councillors — and union representatives. Members are asked to consider further how many of each should be on the board. Does the Committee recommend, for example, that they should make up a third of the board's members?

Mr K Robinson: The document suggests that elected representatives and trade union representatives should each make up one third. I am not sure that I totally agree with that.

The Chairperson: Mr McCausland, perhaps you would agree that that should not be prescriptive.

Mr McCausland: I would not want that to be prescriptive. If the board is to be locally accountable, local authority members should make up a substantial section. There are a range of other interests. Is there a suggestion that trade unions should make up a third?

Mr K Robinson: Yes. That seems too high.

Mr McCausland: That is far too high.

Mr Ramsey: There has been discussion on whether the subregional mechanism will be made up of offices or a structure. That must be completely clarified. The Committee does not know whether there will be a board in each region.

The Chairperson: That is another key area. I am not surprised that you have raised the issue of the subregional structure, Mr Ramsey, as you are bound to be concerned about the north-west.

Mr Shannon: Obviously, the number of members who are councillors will depend on the size of the board. If there are 20 members, as the Committee would prefer, perhaps three or four elected representatives would be appropriate. If the Minister holds firms to his proposal of seven to 14 members, where does the Committee stand on that? Obviously,

the board's size will affect what the membership should be from councils.

The Chairperson: It is useful to challenge every aspect of that.

Mr Brolly: I can envisage difficulty in there being a clash between achieving the desired geographical spread and having a workable, viable number of members.

I do not know how a third of councillors could be selected and how it would be decided which areas would be represented and which would not. We should consider the use of some of the representative bodies of councillors, such as the National Association of Councillors (NAC) or Northern Ireland Local Government Association (NILGA), on the board to represent councils and keep the numbers of board members down.

Mr McCausland: I am not in favour of those organisations being represented. The NAC is a strange body at the best of times and its role is not quite the same as NILGA. Furthermore, there is a range of opinions across councils about the strengths or otherwise of NILGA.

Mr Shannon: Not everyone has that opinion; some councillors may be happy with NAC.

Mr McCausland: Yes, but its role is concerned with the rights of councillors. It is a trade union for councillors.

The Chairperson: Mr Ferguson is a champion for councillors.

Mr Brolly: A solution is needed in which councillors are represented, without having all the councillors there or having to choose which councillors are represented.

The Chairperson: The general consensus is, without being prescriptive, to uphold the important principle of local accountability of and representation by elected representatives — councillors.

I refer members to the table in their pack, which gives details of the Committee's position on the issues of concern that we wish to raise with the Minister. I expect Kieran McCarthy to zone in on clause 6(1), which refers to free core services and charging. Other members will, of course, want to talk about that issue, but Kieran has been pursuing it rigorously in successive weeks.

Mr Brolly: Are we looking at the questions, or at the issues of concern on the Libraries Bill?

The Chairperson: I have to go through a long introduction into the general themes that are being raised this morning.

The Department said that it would be prepared to consider amending clause 6(1) and it asked the Committee to come up with alternative wording. The suggested wording was proposed by the South Eastern Education and Library Board (SELB).

The Committee Clerk: Nelson McCausland referred to a form of wording, which might be acceptable, that one of the witnesses proposed.

Mr McCausland: Yes, a man from the professional body proposed it, but I cannot remember what the form of words was.

The Committee Clerk: The wording that we have lifted came from the South Eastern Education and Library Board, but if there is another form of wording, we can use that.

Mr McCarthy: The wording used by SELB is fairly strong: “the Authority may not make any charges”.

That reflects the Committee’s view on the matter.

The Chairperson: Do you think that the wording used by the South Eastern Education and Library Board is strong?

Mr McCarthy: Yes, I think that it is. It covers all of our concerns.

Mr McCausland: Can we compare it with the wording that the other individual, to whom I referred, came up with? The wording may be similar.

The Chairperson: Do you want to do that now, or revisit that shortly?

Mr McCausland: We can revisit that.

The Chairperson: Obviously, we need to strengthen the wording.

I remind members, prior to the arrival of the Minister — which is scheduled to happen in the next five minutes — that you are required to declare any interests that are relevant to the Committee’s consideration of the Libraries Bill. Those will be recorded in the minute. Members should also note that they are required to declare an interest when asking a witness a question that might related directly to that interest. Again, I state that I am a member of the Western Education and Library Board.

Mr McCausland: I am the Chairperson of a board of school governors. However, since we work under the aegis of the boards, I have to declare that.

The Chairperson: I know. I will work my way around the table and ask members about their interests. David, do you have any interests?

Mr McCausland: I am Chairperson of the BELB library committee and am a member of the board of governors of three schools.

Lord Browne: I am on the board of governors of two schools.

Mr K Robinson: Similarly, I am on the board of governors of two schools.

The Chairperson: Pat, have you any interests to declare?

Mr P Ramsey: I have no interests to declare.

The Chairperson: Francie, do you have any interests to declare — apart from your genius?

Mr Brolly: No one is interested in me.

Mr Shannon: I am on a board of governors. I am not sure if it is necessary to declare that, but I must tell you about anything that I think might be relevant.

The Chairperson: Shall we focus on Mr Shannon rather than the Minister?

Mr Shannon: He is on the big money.

Mr D Bradley: I am a governor of a primary school.

The Chairperson: Members should also be advised that we will have welcome assistance from the Bill Office. Intervention is always welcome. We are ready to speak to the Minister if he is ready to speak to us. We can chill out for a minute.

Mr Shannon: I have a young fellow with me who is on work experience. He is here to see how the Assembly and, in this case, the DCAL Committee works.

The Chairperson: He is welcome.

Mr Shannon: He is shadowing me for a week, and, so far, he has had a busy time.

He knows how hard I work. Ask him afterwards.

The Chairperson: Nelson, the Committee staff are trying to locate the wording that you felt strengthened the point.

Mr Shannon: Next Thursday is Budget day. This Committee is also scheduled to meet then. How will members juggle those commitments?

The Chairperson: It will be difficult. I will take advice from the Committee Clerk about other Committees’ plans. Members of this Committee may have strong opinions about what should or should not happen on Thursday. I understand that the Programme for Government, the ISNI and the Budget are to be discussed in Committees next Thursday.

Mr McNarry: It will only be the commencement of consultation on the Budget. There will be no vote or major debate about the Budget statement, which will be followed by a one hour discussion about what has been said.

The Chairperson: David, do you think that the Committee could run alongside the plenary session?

Mr McNarry: It might be a problem for management. The decision to hold the meeting will be a matter for the Committee members. If we attend the Committee meeting, we will have to rely on Hansard in order to find out what happened in the plenary sitting.

Mr P Ramsey: Next Thursday will be the first time that Members will have a chance to discuss the Budget and the comprehensive spending review. It would be inappropriate to hold a Committee meeting at that time.

Mr McNarry: I agree with that. Kieran McCarthy sits with me on the Business Committee, and it might benefit members of the Committee to check with their party Whips to find out which party members will participate in the Budget debate and to arrange for all parties to have a fair chance in the time allocated. That is the best way to approach the matter.

The Chairperson: What is the Committee Clerk's advice?

Mr McCausland: The Budget statement is scheduled to take place between 10.30 am and 11.30 am —

A Member: No, there are two —

Mr McNarry: A debate on the Programme for Government will be tabled tomorrow.

The Chairperson: Replies to the Budget statement take the form of questions rather than debate.

Mr Shannon: Will there be an hour set aside for that?

The Committee Clerk: There will be one hour set aside.

Mr Shannon: David's point is valid. Obviously, each party will have its pecking order for speakers. We could attend the Committee and other people could ask questions in the Chamber.

The Chairperson: The Committee meeting will therefore run alongside the plenary session; although, members might get distracted for other reasons and have to go to the plenary session.

Mr McCarthy: The Budget is important. Could the Committee meet on Tuesday? I know that that would put pressure on staff, but Tuesday seems to have been forgotten.

The Chairperson: The Minister will be attending the Committee on Thursday of next week.

A Member: Other Committees will also be meeting on Tuesday.

The Committee Clerk: Next week, the Minister will be attending in order to discuss the Irish language.

Mr McCausland: There is nothing to discuss about that.

Mr Shannon: The discussion is over.

The Chairperson: That will happen next week. Are there any other items on the agenda, or is that the only subject for the Minister to discuss?

Mr Shannon: David is right about the speaking order in the Chamber following the Minister of Finance and Personnel's statement about the Budget, and, given that the Minister will be coming, I suggest that we go ahead with the Committee meeting. In order to ensure that we have a quorum, members should indicate whether they will be able to attend.

The Chairperson: Next week we will continue our ongoing discussions on the Libraries Bill. As scheduled, we will hold the Committee meeting next Thursday. Members must do their best to attend.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR CULTURE ARTS AND LEISURE

Thursday 18 October 2007

LIBRARIES BILL (NIA 5/07)

Members present for all or part of the proceedings:

Mr Barry McElduff (Chairperson)
Mr David McNarry (Deputy Chairperson)
Mr Dominic Bradley
Mr Francie Brolly
Lord Browne
Mr Kieran McCarthy
Mr Nelson McCausland
Mr Paul Maskey
Mr Pat Ramsey
Mr Ken Robinson
Mr Jim Shannon

Witnesses:

Mr Edwin Poots	}	The Minister of Culture, Arts and Leisure
Mr Colin Jack	}	Department of Culture, Arts and Leisure
Ms Irene Knox	}	Proposed Northern Ireland Library Authority

The Chairperson (Mr McElduff): I welcome the Minister for Culture, Arts and Leisure, Edwin Poots, to this morning's Committee meeting to discuss the Libraries Bill. I do not think that Mr Poots plans to make a statement. Is that the case, Minister?

The Minister of Culture, Arts and Leisure (Mr Poots): I have a speaking note.

The Chairperson: The session will take the form of questions after you have made your introductory statement. I welcome your senior colleagues, Mr Colin Jack and Ms Irene Knox.

Mr Poots: I thank the Chairperson and members for inviting me to address the Committee on the Libraries Bill. Officials from the Department spoke to you recently, and since then I have passed information on

to the Committee. I am aware that you have some outstanding concerns, and I hope that some of those concerns can be addressed today.

The deliberations of the Committee have caused us to look carefully at the legislation and our approach to it. It is worth noting that I remain convinced that this is the best model for the Library Service. The public Library Service is not one of the big beasts of public expenditure — schools, hospitals, roads and social security fall into that category. Nevertheless, it is a key service that has the capacity to contribute significantly to quality of life. It differs from much specialised public provision at this time; it is universal and not targeted; it is driven by the user and is not monetary; it is free at the point of use for its core services; and it can be adaptable and flexible, modifying services to meet new demands or changes in modern society. Despite being a relatively old service, those attributes make it acutely modern and useful in these changing times, and puts it in a position to support a range of other priorities — economic, educational and community development.

A good public library service is the mark of a civilized society. How it is run and the quality of a library service says something about the values of the society it serves. The amalgamation of Northern Ireland's five library services into one service is primarily about improving the quality of the service to the public.

A single library service is in a better position to establish partnership arrangements with other bodies to ensure relevance. I can ensure equity of provision across Northern Ireland; that should enable the transmission of best practice, so that all areas come up to the same level, namely the best. The library service should be able to raise its profile and market itself appropriately.

The library authority and its board will have sole responsibility for the library service alone, ensuring that it is focused and undistracted by other matters. Compared to other services in the UK and Ireland, this is an innovative idea, which has excited interest elsewhere — as the Committee will know from some of the evidence that has been presented to it.

I want to address the timing of the establishment of the library authority. The extension of the Committee Stage of the Libraries Bill now makes establishment impossible to achieve by April 2008. I have been considering the implications of that in a new timetable. I have also listened to the views of stakeholders in the education and library boards, who recognise that the two services, education and libraries, are separating, and though their preference is to move at the same time, they accept that that may not be possible. Their chief concern is that the processes for the transfer of

staff are common and developed at the same time in order to minimise disruption to the boards and ensure that all staff are treated equally.

My Department has taken those considerations on board and is working closely with the education and skills authority (ESA) implementation team and the Department of Education to ensure commonality of approach. A mid-year start poses practical difficulties for the library authority in the 2008-09 financial year, not least with corporate and financial issues and reporting. I have, therefore, decided to put back the date for the establishment of the new authority to 1 April 2009. That is a later start than I had intended, and there will be some cost implications as a consequence, but it reflects the views expressed to me about the technicalities of moving ahead.

I intend to proceed with the appointment of the board of the library authority as soon as possible after the passage of the legislation so that it can operate in shadow mode from the middle of 2008-09. That would allow the authority to prepare fully for the transfer of powers and ensure the board's full involvement in the preparation of the authority's first corporate plan.

I am happy to listen to the views of the Committee and answer questions.

The Chairperson: Thank you, Minister. Some interesting news has been brought to the table this morning.

Lord Browne: I welcome the Minister. Clause two of the Libraries Bill deals with the duty of an authority to provide a library service. Many people have expressed considerable concern that the standards expected of an authority in providing such a service have not been specified in the Bill. In particular, they have pointed out that the words "comprehensive" and "efficient", which are used in the current legislation, do not appear in the new Bill at all. The Minister's officials have already explained to the Committee that they did not regard the words "comprehensive" and "efficient" as meaningful; in their opinion it would be unusual to legislate for efficiency. However, the Committee is generally agreed that those words should be included in the Bill. We feel particularly that efficiency should be made clear in this piece of legislation.

What are the Minister's views on this matter?

Mr Poots: I am happy to consider your suggestion. Terms such as "comprehensive" and "efficient" add meaning, so the Department will be happy to examine that. The Committee Stage of Bills is about identifying those kinds of issues. The Department will examine that, and we will come back to the Committee on it.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. I wish to ask some questions on efficiency

savings. As you have said, you intend to postpone the establishment of a library authority until April 2009. How will the efficiency of the library service be monitored, and who will monitor it? Will it be monitored by an independent body?

The Committee recognises that it would be inappropriate to include standards in the legislation, because if the Department wanted to amend those standards it would have to go through the entire legislative process again.

However, is there some way in which the legislation can provide for the Assembly to have a role in approving changes made to performance standards set for the library authority?

Mr Poots: Ultimately, the library authority will have a chief executive who will report to the Department's accounting officer — who is the permanent secretary. The permanent secretary will report to me, and I will report to the Committee for Culture, Arts and Leisure, on behalf of the Assembly. Those are the normal accounting mechanisms that are in place for a public body. I am satisfied with those mechanisms, without going out to an independent body. If you find that accountancy procedures are not working out, people may be asked to come before the Public Accounts Committee, something which has been done in the past. Once again, that is provided for in the current Assembly. That is a fallback position for dealing with those who do not adhere to good financial strictures. I am satisfied that we do not need to have an independent body over and above the current arrangements.

Ms Irene Knox (proposed Northern Ireland Library Authority): With regard to standards, the 'Delivering Tomorrow's Libraries' policy framework currently contains standards. Standards must be continually reviewed. What is appropriate now may not be appropriate in a year's time or in two years' time. One of the things that I would like to lead, in the new library authority, is a continuous improvement process. I am happy to liaise with the Committee with regard to standards that have been established for the current Library Service, and standards that we will need to look at in the future. There is a role for the Committee, the Department, and consumers of the Library Service to determine throughout that process the standard of performance to which the Library Service should adhere.

Mr P Maskey: Therefore, the Assembly has no role in approving changes?

Ms Knox: There is a role for the Assembly, through the Committee. I will report on standards and the Committee will comment on whether those standards are appropriate or not. Standards would then be revised as a result of discussion and consultation.

Mr Colin Jack (Department of Culture, Arts and Leisure): The current policy framework for the Library Service was drawn up in 2006 after quite a lengthy period of consultation on a previous document. We expect to update and revise the policy framework and standards every few years. As part of that process, the Department will be working for the Minister. We would expect the Minister and the Department to bring proposals for any revised policy framework to the Committee for consideration. That is the way in which the framework for accountability will work in the future.

As well as that, I expect that once the library authority is established that the Committee will be in a position to call the chairman of the library authority to account — accompanied by the chief executive — with regard to their corporate plans. Therefore, there would be an opportunity for direct accountability between the Committee and the library authority.

Mr P Maskey: I do not want to labour the point. However, is there any way that that process, as you have described it, can be strengthened through legislation. It is OK to say, at the present stage, that there will be an opportunity for direct accountability between the Committee and the library authority. However, the Committee could be by-passed on any decision that has already been made. It may be all right for us to request a role, but it does not mean that our request will be granted. The Committee wants its role in the process to be strengthened, somewhere in the legislation.

Mr Poots: I ask the Committee to be cautious about what they are asking for, in that instance. If the Committee want to put the process into a legislative framework, it will bind the flexibility of the process. We have a system whereby, if changes were to be introduced, the natural thing — and the way in which the Assembly operates — is that those changes are reported to the relevant Committee by the relevant Minister. We engage in discussions such as those and try to reach a common sense approach, working with each other.

If the process is put into legislation, the Committee will have to bid to enter those processes. It must be remembered that the current Assembly is in an early stage, and that there is not much legislation on the table as yet. I have no doubt that in two or three years' time we will be wading our way through a pile of legislation. As a consequence of that, the Committee may want to see changes being implemented quickly. However, if the Committee has to bid to get into the legislative process for fairly minor changes, then real difficulties will be created in the flexibility of the process that we have.

Mr McCausland: I want to pick up on the fact that there is no national library and that it would be

unrealistic for a small place such as Northern Ireland to have one. However, my concern is that material relating not only to life in Northern Ireland and the province of Ulster but to the Ulster diaspora is not available for a range of reasons. The Northern Ireland Publications Resource was mentioned, but I understand that it collects only locally published material.

Many books about emigrants from Northern Ireland, who have gone around the world and done various things, were published elsewhere and are not available here. People have to travel to a London library to access those books and make arrangements to borrow them. Could it somehow be included in the legislation that there should be a strengthened collection of material with specific relevance to Northern Ireland and the province of Ulster, regardless of where it has been published?

Mr Poots: I am not sure whether that would come under legislation or policy, but perhaps Irene can brief us on that.

Ms Knox: I take on board Mr McCausland's point. There is an onus on the library authority to collect material that is relevant to Northern Ireland. The difficulty with including something such as that in legislation is that it is not always possible to identify material unless someone points it out. Therefore, the authority could be placed in a difficult position should it miss a publication.

However, the library authority will have a stock policy and a collections policy. Bear in mind that it will also have to develop a range of policies that are Northern Ireland-wide, and beyond. Mr McCausland's point could be taken on board in the stock policy. It could include consideration also of how to make sure material is available, without always purchasing necessarily, for instance by collaborating much more closely with others to ensure the availability to people here of the materials that they need. Such collaboration could be with the Linenhall Library or Trinity College Library Dublin, which, as national library, collects a great deal of relevant material. Any such policy should ensure that there is no duplication but that there is access to whatever materials people need.

Mr McCausland: I accept your point about collaboration with other libraries. The Mitchell Library in Glasgow is another that comes to mind, and other libraries in Scotland should also be considered. However, I am thinking about some form of words that would not necessarily tie the library authority to strengthening its collection, but allow it some flexibility and still serve as a constant reminder of the need to do so. In the past, when I raised the issue with various librarians, action was not always taken. It would be good to have a general phrase to stress the

point, and perhaps something could be considered on that basis.

Ms Knox: I am sure that the Department would be happy to consider it.

Mr D Bradley: As an example of what Mr McCausland mentioned, part of the stock of the Irish and Local Studies Library in Armagh is being stored in the basement of library headquarters and, therefore, is not readily available to the public. Furthermore, that library is on the lookout for the type of material that Nelson mentioned earlier. How can we be sure that, under the library authority, such material will still be collected and readily available to the public?

Mr Jack: Should a specific aspect of collections policy be included in the legislation, it would tie the library authority to it. Potentially the library authority could find itself in court due to a failure to collect a particular piece of material. However, you would expect the strengthening of collections to feature strongly in the policy of the new authority and in any policy guidelines issued by the Department. We will reflect on the matter and see what we can come up with.

Mr McCausland: Surely it is not beyond the wit of man to come up with a form of words to emphasise and focus on the issue without being prescriptive.

Mr Jack: For example, the new library authority will want to work on that aspect in its mission statement and through the development of its first corporate plan. Those are all ways that we can consider.

Mr McCausland: We should reflect on the terminology that was used in the old legislation on museums. They were to collect or have material relevant to the region. There is a growing emphasis on that in tourism and cultural connections around the world, even through Tourism Ireland. It is from that material that many of those ideas can be generated.

Mr Poots: I am aware of the issue that Mr Bradley has raised, because it has been raised locally with me. There is an excellent stock of literature that is not being made publicly available, and we must look into that.

Mr McCarthy: My question is about clause 6, and charging for core services. Many of the witnesses, if not all, were concerned that the current wording of clause 6 does not guarantee free core services. Your officials said that they would be prepared to consider amending the clause, and they asked the Committee to put forward alternative wordings.

The Committee proposes the following wording for clause 6(1), which was originally suggested by SELB:

“The Authority may not make any charges for any library services provided by it”

— and this is new —

“including the borrowing of books and free access to information, except for —

those services specified in a scheme of charges approved by the Department and published by the Authority; and

the charges are made in accordance with that scheme.”

First, what are your views on that form of wording?

Mr Poots: This is the first time that I have heard that form of words, so I can give no commitment on it. In essence, it does not appear unreasonable. However, we will have to look at all the ramifications. We will take that away, consider it and come back to the Committee.

Mr McCarthy: To follow on from that, clause 6(2) permits different charges for different persons, circumstances or localities. In relation to the question of locality, the Committee has considered the idea that there should be some thought given to producing a standard set of charges, which would apply throughout Northern Ireland. What are your views on that? Do you foresee any difficulties?

Mr Poots: One of the reasons for introducing a single library authority is to have a service that is consistent throughout Northern Ireland, so that the user gets the same service in Castlederg as in Coleraine, and the same in Belfast as in Enniskillen. That is what we are aiming for. In my view, there would be no benefit in having different charges in different regions or parts of Northern Ireland.

Mr McCarthy: Again, in relation to different charges for different persons, your officials explained that that referred to current practice, whereby children and senior citizens are not charged for late returns, whereas adults are charged. The Committee is aware of educational colleges who say that they cannot give a reduced rate to senior citizens as that is incompatible with legislation on ageism. Can you assure the Committee that the provision for making charges for different persons is within the law?

Mr Poots: We cannot give you that assurance. We would have to get the relevant people to look at that aspect on our behalf. One of the disadvantages in pushing the whole issue of ageism may be that some of the benefits that older people enjoy at present may be denied to them in the future.

Mr McCarthy: However, you agree that this is a very important question?

Mr Poots: Yes, it certainly is.

Mr D Bradley: I would like to comment on that. The issue that the Minister has just mentioned has come up with respect to provision of evening classes in colleges of education. In some cases, the privileges enjoyed by older people have been withdrawn on the basis of new legislation, which is supposed to protect them.

When you are looking into the question, Minister, will you raise that issue with the Office of First Minister and deputy First Minister, with a view to retaining the protections that older citizens currently enjoy?

Mr Poots: I am certainly happy to look at that. I must point out, however, that some of the wealthiest people I know happen to be over 65, and they do not necessarily need to have financial support to do those things. Others, who are younger, might have greater need.

I am happy to discuss the issue, but we must bear in mind that it does not necessarily meet all the equality regulations that we have. In addition, there are probably older citizens who do not receive benefits and are, therefore, deprived of opportunities. It is not my Department's responsibility, but perhaps we need better means of identifying people's ability to pay for services. Some older people would not miss the money, while other people who are not on benefits might struggle to pay for some of the services.

Mr Shannon: Minister, the Committee is asking for consideration to be given to the matter. I am aware that the Library Service in my constituency is mainly used by elderly people. They are not affluent people or millionaires with big houses; they are mostly people on benefits and income support, and money is not a luxury that they have.

Mr Poots: Absolutely. People whose incomes are just above the level of entitlement to income support miss out on everything. That is an area that we really must look at.

Mr Shannon: Kieran McCarthy is 63 at the minute, but he is chasing 65.

Mr McCausland: He is a very wealthy man.

The Chairperson: Let us move on to one of the more youthful Committee members.

Mr K Robinson: Thank you, Chairman. The brown envelope is on its way to you.

Thank you, Minister, for your presentation. I noticed that, in your opening comments, you referred to the Library Service as being a key service that is universal and user driven. You said also that the society that it will serve will be reflected in its provision and that there would be equity of provision across Northern Ireland. Although I welcome those comments, the Committee has concerns about the number of members on the library authority board, about how that board will reflect society, and about the geographical spread from which members will be drawn.

The Bill suggests that the board might have seven to 14 members. The Committee thinks that 20 or 21 might be a more realistic figure, based on the evidence that has been presented to it. We feel that that number would provide a better reflection of urban and rural

areas and give a better social and geographical spread that would represent every section of society, whether they have or do not have money, such as those people on the Ards Peninsula to whom Jim Shannon referred.

The Committee is concerned that local representatives — especially when the RPA creates new super councils — ought to be included in the new board. We are grateful that, under the education and library boards, local representation was well reflected and seemed to work well.

Minister, will you review the number of board members? You referred only to audit and finance committees, but, if the board comprises only seven members, by my calculations, three and a half members will be on each committee. That is not an ideal situation. More committees and subcommittees will be required to enable the new authority to operate properly, but there will be too few members. Will you comment on that?

Mr Poots: The original proposal for seven to 14 board members was based on advice given to the Department by the Office of the Commissioner for Public Appointments, which makes recommendations for the appointment of boards. That advice indicated that there is strong evidence of greater efficacy of a smaller board. Therefore, it was thought that a figure between seven and 14 would be the best model. I am open to the Committee's views on the matter, particularly on how we might bring in the local-authority dimension and how we deal appropriately with that issue.

There are questions about whether we should have people from local authorities on the board, which would not reflect the current trend in public appointments, whether we should go down the route of community planning, with special responsibilities associated with the new councils, about how closely the library can be linked with community planning, and whether there is another option.

There needs to be further work carried out in order to identify whether there should be a number of councillors on the board. If there are to be seven councils, that would require seven more councillors. If there are to be 11 or 15 councils, every council would not be represented on the board. Therefore, those issues also have to be taken into account.

The matter is still open for discussion. However, there should be a proper consideration of the community-planning responsibilities that district councils will have, and how that may feed into the library process in local areas.

Mr K Robinson: We are mindful of the situation some years ago when local councillors were removed from the health boards. We are all aware of the disaster that eventually turned out to be. Therefore, that was

one of the reasons behind our thinking that the board should have local political representation in order to give them a better steer.

The Committee supports the merit principle, and we think that that is the way to proceed. However, the new library authority is in danger of becoming a rarefied body, in which all the professionals will be knowledgeable in their own particular subject areas, but may be oblivious to the comments that you made in your opening remarks about serving the wider society.

Mr Poots: I am aware that local councillors, in particular, will bring a dimension to public bodies that no one else can — interactivity with the public. Public bodies are supposed to serve public interests, and I am aware of the role that public representatives, and particularly local public representatives, can have in bringing those public interests to mind.

Mr K Robinson: The Committee is keen that the new library authority is structured in such a way as to allow it to operate and engage at a local level in a meaningful way — and it stress the term “meaningful way”. The chief executive designate of the education and skills authority (ESA) has presented its operational structure to the Committee for Education. Will the Minister provide this Committee with a copy of the proposed operational structure for the library authority? Furthermore, will there be a library board or a library committee — subregional, presumably — in each council area under the review of public administration (RPA) proposals?

Mr Poots: Perhaps Irene could update us on that issue.

Ms Knox: Work is currently under way to produce that draft operational structure. It is important that the people on the ground — the chief librarians, assistant chief librarians and other staff — who will need to have buy-in to this new authority, are involved in that process. I am working through that at the moment with them.

I do not envisage that I will be in a position to bring that draft to the Committee until the middle or end of November. However, at the stage when I have a draft that has been discussed with the staff, I am happy to come to the Committee, via the Minister, with proposals for the operational structure of the new authority.

Mr K Robinson: Thank you for that answer. I also thank the Minister for reviewing the timetable. That is helpful to the Committee, and I hope that it will be helpful to the new authority also.

The Chairperson: Ken, you might agree that in a previous evidence session, the Committee did ask the question about the size of the board. There was no evidence presented that suggested that a smaller board would be more efficient.

Mr Jack: We have an article that was written earlier this year by David Nicholl, who is head the Chartered Institute of Public Finance and Accountancy (CIPFA) in Northern Ireland. It rehearses the arguments regarding the size of boards and makes a strong case for a board having a maximum of 12 members. We can make that article available to the Committee to allow it to consider that point of view.

The Chairperson: I welcome that.

Mr K Robinson: If there is a board of 12 members and a subcommittee of probably six members — and it has to be considered that one or two members could be struck down by illness — how many members will be required to make a quorum? That figure would have to be extremely low. If that is the case, would it have the required representation?

Mr Jack: The quorum would be likely to be low in comparison with the size of quorums of the much larger boards that exist in some bodies in Northern Ireland. However, the quorum would be expected to be approximately half the membership of the board.

Mr K Robinson: I am concerned that people from Belfast area, for instance, would have to travel through Dungiven to get to the new board headquarters in Omagh or Londonderry. Adverse weather conditions, illnesses, and other factors could result in the board being inquorate at that stage.

Mr Jack: One of the issues that Mr Nicholl raised in his article is about the onus on the board members to attend. If there is a small board then there is more of an onus on members to attend.

Mr K Robinson: That does not account for adverse weather or illness. That has been pointed out to us in other places. In fact, the Scottish Executive, as some of us found out recently, have to make special arrangements to make sure that they are quorate for certain bodies.

The Chairperson: We will welcome a copy of Mr Nicholl’s paper.

Mr Brolly: My question is complementary to Ken’s. It is about geographic spread of representation, which raises some concerns. Your officials explained that the way in which the advertisement for the recruitment of board members is framed will be crucial in ensuring that appointments are based on merit, which is good, and that the recruitment documentation will be drawn up in such a way as to attract applications from a wide range of people. There should be something in there about the need to have a good geographic spread of people on the board.

There is no guarantee that we will get people from all areas, and it seems that there is too much reliance being placed on the wording of an advertisement. Will the Minister consider stipulating in the legislation that

the board must contain a good mix of people from different areas?

The second question is about accountability prompted by Irene's mention of consumers, who are a very important part of this. Will there be some mechanism for consumers to feed their views back to the library authority on the library service? Will the Minister consider setting up a users' forum for the library authority?

Mr Poots: With regard to geographical spread, I think that it comes down to appointment of members. If you do it on merit alone you run into problems, because you have to look at other issues. As far as geographical spread is concerned, that is where liaison with the local authorities or with the representation from local authorities may bring some benefits.

In fact, I had to re-advertise the most recent appointment of new members to the Arts Council of Northern Ireland because, in terms of geographical spread, we did not get further south than Lurgan. There was some representation from Londonderry, but the south and west of the Province was wholly unrepresented, so I asked for those positions to be re-advertised, because of those concerns. Hopefully, applications will come in from those areas, but if they do not, we may have to re-advertise again to ensure that there is some equity across the Province and that things do not become city-centric. People in rural communities remain unrepresented on many of the boards across Northern Ireland. Again, I am not sure that we need legislation. We can have very clear guidelines and principles on a lot of those issues and identify the way forward.

On the suggestion about a users' forum, I think that that goes back again to community-planning issues that local authorities will be doing. I will be honest with you: I am not sure that we fully understand what community planning means. There are many different interpretations of what community planning might be. It is something for the Department of the Environment (DOE) to tie down, as part of the review of public administration, what community planning is going to mean exactly. I would have thought, Mr Chairman, that the issue that was being referred to with the end-users' forum is something that is ideally fitted for community planning. That would be the best place for that to come from. I am open to the Committee's views on that in due course.

The Chairperson: Jim, you had a related question?

Mr Shannon: Mr Chairman, I just want to make one point to the Minister. It is in relation to the number of board members. The reason that the Committee has asked for 20 members is really to do with the practicalities of calling a meeting. No matter how good you are, you can take sick or you can have family

engagements. There are distances to cover and weather conditions to contend with. Is it not more sensible to have a committee structured around 20 members so that you can use the councillor-level representation as well as having a geographical spread of representatives, as Francie has said? That would ensure that you have a good mix of people to deliver the services. From a practical point of view, it is more sensible to have 20 members rather than seven or 14. If three people cannot attend, where are you then?

The Chairperson: Nelson, I expect you to stand up for rural areas too.

Mr McCausland: I was going to stand up for equality. What strikes me about representation on public bodies is that the only two bodies that are required by law to be reflective of Northern Ireland society are the Human Rights Commission and the Equality Commission, which does not speak very well for the requirements of the legislation, as neither body is particularly representative.

However, there is merit in considering wording that says that the board should be reflective of Northern Ireland society, particularly as it is a cultural body, which should reflect our cultural diversity. Although that has not worked in the two cases I mentioned, I believe that it could work.

Mr Poots: In relation to Mr Shannon's point, it is fairly clear that the Committee wants to move to having a greater number than the one that is currently in the Bill. That will be looked at, but there are issues around having a bigger board.

The old Fire Authority for Northern Ireland, for example, used to have a board, and perhaps the current Fire and Rescue Service Board still does, of around 19, so I will have a look at some of those boards and see how well they operate. I suffered the effects of a large membership when I was Chairman of the Committee of the Centre. A few people thought that, because that was the largest Committee, they did not have to pull their weight. Sometimes in a smaller group people are more focused and determined about the work that they have to do, whereas with a large group people think that someone else will do a job, and it ends up that no one does it.

There are benefits in having a larger group, such as ensuring a quorum. However, I remember, quite often, at 2.00 pm on a Wednesday afternoon, at meetings of the former Committee of the Centre — with a membership of 17 — waiting for five people to turn up so that we could start proceedings. When I sat on the Committee for the Environment there were 11 of us, and it always started on time. People do not always take their responsibilities as seriously when there are others to share the load.

The Chairperson: You could not accuse this Committee of not taking its work seriously, Minister. Wallace, you were going to make a related point.

Lord Browne: It was on the equality issue. This Committee, being all male, is not reflective of females. Will there be any mechanism to ensure that they are equally represented?

The Chairperson: Would you like to put your question about tenure of chair while you have the floor?

Lord Browne: My next point is on the tenure of chair. This Committee, along with the Northern Ireland Public Service Alliance (NIPSA), believes that the chair of the board should only be able to hold the post for a maximum of two terms — serving one term and then being re-appointed for a second term. Your officials agree with that, but it is not in the legislation. It is dealt with under the rules of operation of the board. Will the library authority draw up its own rules on the operation of the board, or should that be included in the legislation?

Mr Poots: I thank bachelor Browne for his interest in the fairer sex on the issue of equality. *[Laughter.]* He obviously wants to keep in with them.

It is probably better if we can set out very clear policies, as opposed to introducing a lot of that into legislation. I personally believe that legislation is not a very manoeuvrable beast; it is a large ship that requires a lot of turning. If policy documents are agreed through a system like this one, with a Minister reporting to a relevant Committee, that introduces a great deal more flexibility. Therefore, if changes happen in the future — and I do not think that there are any prophets in the room — you can address those changes and meet the challenges as they come along, whereas you cannot do that if everything is buried in the legislation..

Mr McNarry: I welcome the Minister. Although it falls to me to say the following, my views are shared with the general consensus of the Committee.

I want to deal with the staff transfer scheme in schedule 2 and then, separately, with start-up costs. Before I begin, I have to say that it is clear that we needed to have a discussion this morning, as well as questions.

You appointed a chief executive designate who is, in turn, appointing designated staff. At the time, I said that that appointment was premature. You now inform us that the new authority will operate in shadow mode, as things have been put back until April 2009. It seems that my case is being made for me. It also appears that you are floating on the issue.

That action introduces more uncertainty. Although it is good to identify issues now, it also explains why the Committee has found itself floating in an atmosphere

of uncertainty about where we are going. Perhaps you will deal with our concerns about those shadow arrangements, because we need to know more about them.

At this stage, I will not question your competency — you will make the decision. However, those decisions are bound to involve costs, and you are already frittering away money on a chief executive designate's salary, and so on

On the issues arising from schedule 2, Minister, your people asked to see the legal advice that we received, and we gladly passed that on. Following a delay, we were informed in a letter from your Department that, despite having received the legal advice, on the basis that the Department was unable to ask for it directly, your people had written to John Corey to request a copy of NIPSA's advice on schedule 2 from its QC. The Department is now seeking a meeting between the Department's and NIPSA's legal advisers in order to discuss the differences in opinions. What possible differences in opinion do your people expect to find between the legal advice that we passed on and that which the Department is requesting now from the same QC — or is that just a delaying tactic?

The letter continues that, until the Department has received the requested information and a follow-up meeting has taken place between NIPSA's QC and Noel Kelly from the Department, and Noel Kelly has then reported to the Committee, you require more time and will not be able to respond to the Committee's deadline. That was not really a deadline. It was a simple request, made last week, in order to have the information for today. You have not provided the Committee with any information. How do you expect us to proceed if we cannot investigate what we have identified as a potentially serious issue? Letters such as that cause us to be even more suspicious.

The issue that we have flagged up is a serious contention that if the Bill were to proceed in its current form — and a senior counsel has told the union that is employing him that it would be flawed — there is every likelihood that that union, and perhaps others, will be in the courts.

The Committee is very reluctant to accept only clear and concrete legal advice that we are not going to be agreeing to a Bill in the secure knowledge — or even in the doubting knowledge — that in taking it through the Assembly, it would be walking the Assembly, the Department and everybody into court because of the flaws in the Bill.

It seems to us that this is a very serious issue. Also, Noel Kelly told us that he was right and therefore everyone else was wrong; he is an excellent person and I am not challenging his ability, but that is a concern. The Committee urgently needs to know the Minister's take on that, in order to decide which legal opinion

it accepts — Mr Kelly's, that of the eminent counsel employed by NIPSA — or if it needs to hire, with public money, an independent legal opinion to explain the situation. That is a very important issue, which I ask the Minister to respond to.

Although the Minister cannot respond to what he calls our deadline, when does he intend to respond to us on the issue, and how does he see the situation between the legal eagles and this Committee panning out? Many witnesses mentioned that there may be problems in categorising the current education and library board staff either as library authority staff or ESA staff because currently some staff salaries are part funded by DCAL and part funded by the Department of Education. How does the Minister intend to deal with that issue? Is it a major issue? Is it a serious issue? Can you expand on that for us?

Mr Poots: I thank the Deputy Chairperson of the Committee for his questions; he always adds to the colour of events and it is good to hear from him. Shadow boards do not operate in shadow mode, in the same way that the RPA spoke of putting shadow councils in place for a year. Shadow boards will deal with all the issues put before them and smooth the way so that whenever full responsibilities are transferred to the new board, it should be a seamless operation.

I cannot be accused of creating uncertainty; I was aiming for 1 April 2008. I am no longer aiming for that date because this Committee has extended its scrutiny process to eight months.

Mr McNarry: So it is our fault?

Mr Poots: I am making it very clear that I was aiming for 1 April 2008, which is now impossible because of the Committee's decision to opt for an extension and take eight months to go over the legislation.

Mr McNarry: Are you denying that the reason for the Committee needing more time is because of a failure to supply information by the Department, which has led to uncertainty over the legislation?

Mr Poots: The legislation could have been dealt with more quickly — I have laid that fact on the table.

The Chairperson: Minister, are you not being disingenuous? You said that the timetable had slipped prior to the motion for extension, and that it would appear some time between April 2008 and April 2009. You were not proscriptive or specific, but you did suggest that the timetable had slipped prior to the extension motion.

Mr Poots: I certainly had not changed the date from 1 April 2008 at that time — I said that I would consider it. The extension of the Committee Stage from four months to eight months made it impossible

for me to proceed before 1 April 2008. I am not taking any responsibility for any additional costs.

Mr McNarry: The Minister should take responsibility for the appointment that he made, which was premature even for April 2008. That is the point that he fails to grasp.

Mr Poots: The appointment was not premature. If you want to go into an operation in a seamless way that does not lead to a staff being undermined, adequate preparations must be made. The Deputy Chairperson may think that it is possible to build a house without any plans — that is not a wise thing to do.

We were putting the plans and processes in place so that we could move forward smoothly and seamlessly, and in a way in which would cause fewest problems to the public and the people who provide the services. As a consequence of the new arrangements, we cannot now proceed according to those plans. I could have footed around and perhaps suggested a vague date, say in July or October or another time. Instead, I have been very clear and definitive. I have said that the library authority will not be set up in April 2008, but that the date will be moved back a full year until April 2009, and that we will be ready to proceed in April 2009. That may present a challenge for the Department of Education; will it be ready to move with my Department? I remind members that it was the Department of Education that pushed the date back from April 2008 in the first place. However, we will be ready, and a board will be in place. That board will not cost a great deal of money to establish because shadow boards are not expensive to run. Thus, we will be ready to move ahead. I am not delaying or holding back.

As regards the legal advice that was received, Government operate on the basis of legal advice that is provided to them by the Departmental Solicitor's Office. We have to work within those confines. I have confidence in the Departmental Solicitor's Office and in the advice that it gives to us. Often, we find that those in the legal profession have differences of opinion with one another. Half a dozen lawyers could be asked for an opinion on a particular case, and half a dozen different opinions would be given. It seems sensible to me to put the unions' lawyer and the Department's lawyer into one room to see if they can agree on a position — if that is possible to achieve. That is what we are doing. If an agreed position is reached, we will be in a good position to move forward, and we will report back to the Committee at the earliest opportunity.

The Chairperson: David, are you satisfied with the Minister's answer?

Mr McNarry: I will not argue too much with him, but I am pleased to hear him say that it seems sensible to put the two lawyers in a room. It is a pity that it did

not seem sensible to him a month ago. The problem seems to be that people could not even lift a phone to one another to say that they have a difference of opinion. Instead, an erroneous type of protocol had to be followed. The Minister talks about plans and business management and so on, but there is something lacking in a system if people cannot even lift the phone to talk to one another. Perhaps that is just how things are done.

I also want to take the Minister up on another issue and defend the Committee. This morning, Minister, you announced your decision on the date of the establishment of the library authority. However, when the Committee asked the Assembly for an extension of Committee Stage, it was felt necessary to inform you that the Committee would report as soon as possible; we were informed that you wanted to hear that. Nevertheless, you have not waited for that. Since that day, you have given the Committee no further opportunities to see how it could move the programme on. You have now said to the Committee members that it is OK. Therefore, you have relieved us of the time pressures that were placing on ourselves. We said to you that we would report as soon as possible, but you have made your decision and you were obviously not prepared to wait to see how soon as soon as possible might be.

Mr Poots: I do not assume that the Deputy Chairperson is going to tell me how long a piece of string is.

Mr McNarry: That is an erroneous comment. The phrase “as soon as possible” was recorded in the Hansard report, and you should have allowed us the opportunity to at least try to improve on the matter, which is what we were trying to do.

Mr Poots: I can set definitive dates only on the basis of the last definitive date that was given to me.

The Chairperson: I want to focus Committee members’ minds on start-up costs and estimated savings.

Mr Shannon: Minister, you have given us the start date for the library authority, which is 1 April 2009. Is it fair to assume that now that that date has been confirmed and you have a timescale to work towards, you have some idea of what the predicted savings would be? I appreciate the reply that you gave to the Committee, but it by no means ties down the figures. It refers to a figure over or under £670,000. The Committee is concerned that some of the savings could be made by reducing management-level staff at the boards. I am not sure how that would work. Have some backroom staff perhaps already been paid off? That is a matter of concern to the Committee.

The witnesses who have appeared before the Committee have indicated that redundancy savings are not normally realised for two years.

If that is correct, can you give a more comprehensive figure on what is going on? It has been intimated to the Committee that corporate services will be an ongoing additional cost for the new authority. With all those figures in the melting pot, the Committee deserves and needs an answer on the costs involved. The Committee has written to the Department seeking a breakdown of the estimated savings. Considering that the estimates are not based on specific costings and the amount of savings and staffing structure are unknown, can the Minister inform the Committee of the costs that will be involved?

Mr Poots: The Department stated that it was seeking to achieve savings of £600,000 for 2009-10 and £1.2 million for 2010-11. Mr Shannon is right to state that there is an initial cost to achieving those savings, because redundancy packages usually amount to more than the individual’s annual earnings: a more attractive package will encourage people to consider redundancy. The Department of Culture, Arts and Leisure can apply for year-end flexible funding, which allows for one-off bids. Therefore, while there are real pressures on this year’s resource budget — and all Departments are finding it difficult — there will be opportunities to introduce funding to the Department through the end-year flexibility, and that money can be used for staff redundancies, for instance. There will be additional costs at the outset, but they will lead to savings in the longer term, and that is what we are looking to achieve.

Ms Knox: If we are to make long-term savings in the administration of the Library Service, we must look at an invest-to-save approach — we must find money through the process that the Minister talked about. The Department must also have the funding required to release the staff at senior levels in current boards who wish to take voluntary redundancy, and that will, therefore, release funding in the longer term. I want to reinvest in front-line services. The whole point of having a single library authority is that we can streamline the administration and release funding into the front line. In order to do that, we must take an initial invest-to-save approach.

Mr Shannon: When do you hope to have more concrete figures? Ms Knox, are you saying that you will not be able to provide us with accurate figures for some time?

Ms Knox: There will have to be consultation with trades unions when the organisational structure is developed, because the new structure may well impact on current staff. Following that process, we will cost the structure, examine what savings can be released

and consider how to do that and establish what initial investment will be needed to achieve longer-term savings.

Mr Shannon: I asked my question because the Committee is not convinced that there will be savings: that is our worry. It has been intimated to us — right down the line — that there will be savings, but, from what I hear, I am not sure that there will. We would like to think that there will be.

Mr Poots: The Department of Finance and Personnel has already agreed to the figures that will be involved if we go down that particular route. If we were to move away from those figures, it would only be with the agreement of the Finance Department. I assure the Committee that once the Finance Department thinks that it has got something, it is not keen to return it. Ultimately, savings have to be made, and they cannot be made in front-line services — they must be made through administration. I will be honest: it will cause difficulties, particularly for the people who work in administration, and I have no doubt that the unions will have difficulties with that. However, we, as public representatives, are running the country, and we will have difficult decisions to make. The unions are entitled to make their cases on behalf of the people that they represent, but if there are savings to be made, they will be made in administration and personnel. That is harsh, but it is the reality.

The Chairperson: Does that mean that you will change the explanatory memorandum, Minister?

Mr Poots: In what respect, Chairman?

The Chairperson: I refer to the start-up costs that appear in the explanatory and financial memorandum. Would you like to take up that point, Mr McNarry?

Mr McNarry: Will the explanatory and financial memorandum be changed to reflect more realistic start-up costs? Having heard about the new date, I assume that the staff involved will be aware of that as soon as possible, if they are not already. It will also affect their plans. It will have a major effect, particularly on those who face retirement or are thinking about it. I am sure that their concerns are uppermost in the Minister's mind.

Mr Poots: Yes.

Mr McNarry: Has the Minister informed his Executive colleagues — in particular, the Minister of Finance and Personnel — about the new date? What bearing will shifting the date have on the start-up costs with regard to Budget bids, et cetera? The Minister has made an announcement to the Committee, which has come as a surprise. Until now, the Committee has worked on the basis that it had reasonable time to catch up with the Department.

People who have given evidence to the Committee have referred to the Deloitte & Touche report's

estimate of start-up costs of £965,000, which goes against the Department's original estimate of £670,000. The Committee still does not know where the estimation should sit. In fact, even the Department is not sure whether its original figure is an overestimation or an underestimation. Where will that estimation bounce to if the start date is April 2009? Where does the current bid for £550,000 for corporate services now sit? Surely the Department cannot spend the money, but must it still bid for it?

To return to the point that the Chairman made; it, therefore, seems reasonable that the financial and explanatory memorandum be amended to provide a more realistic estimation of the start-up costs. Can the Minister tell the Committee that it will be amended; that the Committee will be advised about that; and that the Department will do so quickly? The matter is crucial to the Committee's deliberations. I understand that the Minister's announcement has given the Committee more time. However, it must still work at its own pace.

Mr Poots: I informed the Executive that the Committee Stage of the Libraries Bill would be extended by four months and that that might have implications for the introduction of a single library authority on 1 April 2008. Therefore, Ministers are aware of those implications. After the Committee, I will inform them of the current situation. I will ask the chief executive designate to inform the chief librarians immediately, so that they can inform their staff forthwith. My reporting responsibilities are to the Committee and the House. Therefore, I gave due courtesy to the Committee by making the announcement here.

With regard to the £550,000 for corporate services, those costs will be elongated as a result of the process. The costs include the salaries of the chief executive designate and her current team and the accommodation exercise. However, there are other appointments that the Department would have made earlier in the process that will now be delayed due to the change of date. That figure will, therefore, be different for those reasons. The Department has taken the decision to change the date this week. It will, therefore, need time to work on some of those figures before it can provide the Committee with more concrete estimations.

Mr McNarry: I must press the Minister again about whether he will amend the explanatory memorandum.

Mr Poots: The Department will still aim to make the savings that appear in the memorandum unless it negotiates different figures with the Department of Finance and Personnel. At present, however, I cannot amend it.

If we find that those figures are stretching things a little, we will have to go back to the Department of

Finance and Personnel and indicate that there are no savings to be made.

Mr McNarry: When we move to the Budget discussion and the consultation process, will those figures remain the same?

Mr Poots: We are working to those figures. If we find that they are unreasonable and we cannot work within those figures, we will seek to have them amended.

Mr McNarry: Will you inform the Committee of any change?

Mr Poots: Yes.

Mr P Ramsey: Minister, you are very welcome. It is always good to see you at these discussions. The Committee is uncertain about the way forward. I have missed some of the presentations to the Committee, but, at every meeting that I have attended, the utmost concern has been expressed about the value of a library authority. Are you persuaded that a single library authority is the best way forward to provide services that will match the existing services? Officials from one board told us that the start-up costs are £1.5 million, but someone else quoted a different figure, so David's points are valid and consistent in terms of the agreement that members have reached.

When witnesses address the Committee on the matter, we find that six more questions need to be answered by the end of it. Hansard provides a report of the meetings and representatives from the Department of Culture, Arts and Leisure attend the meetings, therefore, one would imagine that the Committee would have a better way of getting answers, rather than getting the Minister to attend to ask him the questions. A series of questions have been raised, but the answers could be found in an easier way. Your time is precious, Minister, and the Committee's time is precious, therefore, there must be a better way of giving the necessary comfort and responses to members. Morale and motivation will be low now, as the introduction of the library authority has been postponed by a year. Again it is all about savings.

What are the redundancy costs? What will be the branding of the new organisation? What is the cost of establishing a new regional office or subregional offices? The subregional facility has been talked about, but none of us knows what it means. We do not know whether it be coterminous with the new local authority. We need to question the validity of the library authority and settle arguments in order to be convinced to move forward and take ownership of a new single library authority, because, at the moment, too many questions remain unanswered.

This is not directly related to legislation but, under existing arrangements, there is a formula to ensure

that each area is guaranteed appropriate funding in targeting social need. Will that continue to be the case? That has not been discussed. In the present Library Service we have potential to access external funding, such as European peace moneys. Some senior librarians may be encouraged to leave the Library Service if they are offered a good lump sum, so we may lose those specialist skills and capacity.

The Library Service is an excellent resource for providing lifelong learning and early years programmes. It also assists the Department of Education to deliver targets in literacy and numeracy skills. I have raised this question continuously with the boards: will there be joined-up thinking and a separation of the library authority from the schools section? Economies of scale enable the Library Service and the Department of Education to operate collectively, but what will happen when they separate? Will there be costings involved? Will there be separate buildings? Will there be a continued role for the Department of Education in the early years programme? For months, the Committee has had questions and been uncertain about it. There is good reason to extend the consultation period, so that we can be certain and support you in bringing forward the legislation. At the moment, I do not think that anyone in this room is certain.

Mr Poots: I thank the Member for that. The review of public administration will create uncertainty across virtually all of the bodies that are affected by it. That goes with the territory. Those who have vested interests will come to the Committee and they will not want to change anything or do things differently, because they are protecting their own interests. However, I have to take a more global look at it.

There are three options: first, to allow libraries to stay with education and, rather than becoming the education and skills authority, have them become the education and library skills authority instead. In my opinion, that would mean that libraries would play second fiddle to the big players. Libraries would be the tail of the dog, and they would not get a fair crack of the whip.

Libraries have a much better case with a single library authority than with the education authority.

The second option is for local authorities to have responsibility for libraries. Having spoken to people who work in libraries and people from the main union, NIPSA, there is total opposition to that. One trade union with a substantially smaller number of members would consider a move to local authorities. Overall, the people who work in libraries are clear that they do not want the local authority scenario. It would result in seven, 11 or 15 bodies overseeing libraries and would

multiply, instead of reducing, the number of people that are involved in administration.

The third option is the creation of a single library authority.

Those are the three options. Doing nothing is not an option, because the education and library boards are going. Of the three options, I am convinced that a single library authority is the best option for libraries and for staff. It would mean the creation of a public-service body, which would have a clear and definitive role for libraries in Northern Ireland, and which would be accountable to the Department and the Committee. That is preferable to the responsibility for libraries being buried somewhere else, or a multiplicity, rather than a reduction, of administration.

I am acutely aware of the problems that uncertainty creates among staff. That is why I did not change the decision to set up the library authority in April 2008 at an earlier point. I have now decided on April 2009, and I will stick to that rather than pick another date during the year and then find that there are additional problems. The extra year leaves adequate time to deal with the changes, and staff know that they can work to the April 2009 date with some comfort.

Mr P Ramsey: I asked a number of questions to the Minister, and I do not suggest that he will have all the answers today. In light of the information that he has already given, can the Committee have a more detailed response to those questions?

Mr Poots: I am quite happy for a more effective system of communication exchange to take place. If you are telling me that there has been a fall down in communication, I am happy for questions to be posed directly to the chief executive designate. I expect to see the questions and responses so that I can keep my finger on what is going on and so that the Committee does not have greater knowledge than what I have. I am happy for a better form of communication to take place.

The Chairperson: We might discuss the detail of some of Mr Ramsey's particular issues.

Mr D Bradley: Minister, you did not say whether or not you would amend the explanatory and financial memorandum to take into account the adjusted start-up costs.

Mr Poots: I am not saying that I would not do that, but I am not in a position to say that I will. The Department will have to identify whether the proposed finances are reasonable and can be delivered. If the finances are reasonable, I will not amend the explanatory and financial memorandum; but I will consider doing that if the finances cannot be delivered.

Mr D Bradley: How far are you from final, complete and reliable costings? What external studies have the

Department commissioned to help you formulate the costings?

Ms Knox: DCAL is working on the final, complete and reliable costings, and I am not in a position to consider that. However, I have had discussions with the Department about the likely implications of a delayed start date. As the Minister said, he only made that decision this week. DCAL is working on the cost implications of that.

Mr D Bradley: Do you have any figures?

Ms Knox: I do not have figures; perhaps Mr Jack has figures on that. The Deloitte report, of which members have copies, is an external study that was commissioned by the Department to help it formulate the costings.

I have looked at that report, tested some of its assumptions about external costs and spoken to the Department about the costings in order to find out if there is flexibility.

Mr Jack: We will need to carry out more work on the detail of the costings. The main impact of the change to the timing is the period that the chief executive designate and her immediate team need to be paid for as the designate, rather than the affirmed chief executive and senior team of the substantive library authority. The main costs are for salaries and premises for that additional year.

Having said that, the corporate services costs of the full library authority will be incurred later; however, the significant costs of setting up the corporate services and the new organisation are of a one-off nature. Those one-off costs will not differ because of the change to the timescale, so the main impact will be that some elements of salaries will be required for a longer period, and others will be delayed. As mentioned earlier, it will take time for savings to be realised: to an extent that element is delayed. We have some more detailed modelling to do. It is a complex exercise to work out what the staffing structure of the new authority will be. We are working constantly to refine the figures. So far, the main basis that we have for estimating the costs is the Deloitte report, and it is simply about looking at how changing the timing changes the phasing of the figures in that report.

Mr D Bradley: What timescale are we talking about for the final costings? Will it be three months, or six months?

Mr Jack: That will be heavily dependent on the new structure that the chief executive designate will draw up.

Mr D Bradley: What intrigues me about this is that the costings for the Bill are far from complete. Therefore, I am surprised that the Minister came to the House on Tuesday and rejected the Irish language

legislation, which is further down the legislative schedule than this Bill. He rejected that legislation largely on the basis of costings, so why is it taking so long to cost the library authority when the Irish language legislation was rejected in a much shorter timescale? The consultation stage had hardly been finished.

Mr Poots: Well, I —

Mr D Bradley: Please allow me to finish, Minister. It appears that there is a contradiction in the Department's actions, and a lack of consistency in approach. On the one hand, there is a Bill that is going through the Committee Stage, which has not been fully costed even with external professional help, and on the other hand there is a proposed Bill that has not even reached the Committee Stage, but has been rejected largely on the basis of costings, and without any external professional help.

Mr Poots: I thank the Member for his questions. First, we are working on assumptions in relation to costs of the Libraries Bill. Irene must identify how she is going to set up the structure, and, hopefully, we will reach a more definitive point in considerably less than six months. I would like to see that completed in closer to three months, by the end of this year.

The other issue is not on today's agenda. I asked for assumptions on cost to be made for that as well, and I asked that that should be done at a high level. Therefore, the assumptions that were made will give a reasonable indication of what those costs would be. In addition, I gave the costs exclusively for the Civil Service, and I did not cover education boards, health trusts, councils or other bodies for which there would be a cost issue.

I will never apologise to the Committee or the Assembly for seeking to save money on administration. I believe that public money saved on administration can be directed towards front-line services. That is key to what we, as public representatives, do, and the public will hold us accountable for the delivery of those services. Northern Ireland has a poor level of front-line services across a whole range of Departments, and we would do well to seek to put as much money as possible into those front-line services — the casualty units, the sports facilities provided around the country and the libraries, many of which fall short of standards that we could be proud of. We should go forward and see how money can be saved, so that it can be distributed to the public in the most effective way.

Mr D Bradley: I am not asking the Minister to apologise for anything. He is entitled to make savings, and we would all support him in that. We must be sure that the figures that we get are accurate. Will the Minister not accept my point that there is a lack of

consistency in approach between those two pieces of legislation? The Department should be consistent in its approach. The Minister said earlier that he would welcome an improvement in the exchange of information or communication between the Committee and the Department. However, some members of the Committee knew the previous week the content of the statement that the Minister made on Tuesday morning, and he did not come to the Committee. I believe that the Chairperson asked to meet him. There are issues around communication.

The Chairperson: Mr Bradley's point is noted. We will have one or two final comments on the Libraries Bill.

Mr McCausland: The difficulty for the Committee, and the Minister in many ways, has been that the legislation started under direct rule, and the Assembly became involved in the middle of the process. Many of the earlier stages were badly handled under direct rule. However, things have improved dramatically under devolution.

Can I have clarification of the timeline? Legislation will be passed and we will know how many members a shadow board will have, and then it will have to be constituted. There will then be the process of recruitment to the board, and it will then kick in. What is the timescale for those procedures?

Mr Poots: I would hope to have the legislation through by the summer recess, and if that is the case we could go ahead and appoint a shadow board in the autumn. We aim to appoint the shadow board in October, so the chief executive would, to some extent, be reporting to the board in shadow mode.

Mr McCausland: So it would be mid-financial year, roughly?

Mr Poots: It would, and then it would move forward in the new financial year. Setting up such a board or authority in mid-year would ensure that the financial impositions and corporate governance standards would immediately apply for the full year, but you would only be getting a number of months out of it.

Mr McNarry: I thank the Minister for coming. I want to emphasise that the Committee has great doubt about his figures stacking up. The evidence is to the contrary from every source that we have looked at. If the Minister can show that his figures stack up or, indeed, if he can come clean and say that they are wrong, then the Committee could get to grips with the issue better and quicker. Will the Minister let the Committee know as soon as possible if there are any changes in his figures or assumptions? The Committee thinks that the figures are way out.

Mr Poots: That remains to be seen. Assumptions have been made, and I cannot say that those assumptions are wrong. If Mr McNarry is talking

about the figures being way out, and the difference is £200,000 of savings instead of £1.2 million savings, then the figures are way out. I would not anticipate that the figure will be £1.2 million exactly. I am sure that there will be some difference. Nonetheless, as soon as I have those figures, and as soon as we can move from the basis of assumptions to something more definitive, I will be happy to keep the Committee informed. However, we have not yet reached that point.

The Chairperson: I thank the Minister and his senior colleagues for appearing before the Committee this morning to discuss the Libraries Bill.

Minister, do you intend to make a brief statement on the Budget?

Mr Poots: Budget issues are still being discussed at the Executive Committee. There will be further discussions today about ISNI. It has been a difficult negotiating round. I have fought hard for this Department and will continue to do so. Year 1 is a difficult year for all Departments. Years 2 and 3 will also be difficult, if we decide to ignore the recommendations of Water Reform NI. Years 4 and 5 will be difficult for capital development, if we do not examine what the Government have land banked and offload some of the assets that we do not currently use.

In all of this, difficult decisions must be taken. My duty is to fight for my Department. I will try to obtain the best possible result for the service of culture, arts and leisure over the incoming year.

The Chairperson: I thank the Minister, Mr Jack and Ms Knox.

Mr Poots: Mr McNarry is away. I did not get an opportunity to thank him for the opening rounds. I am going to see Noel Thompson, so it was good for a warm-up.

The Chairperson: Members, having heard the Minister's evidence on the Libraries Bill, are there any issues on which further clarification is required from any of the witnesses? We can write to the Department.

Mr K Robinson: I wish to make a general point. There was a point in the Minister's presentation when he appeared to be a bit peeved with the Committee. I hope that, by the end of the exchange, he realised that the Committee has had real difficulties. We are not dragging our feet. We have been dropped into the middle of a process, and we are trying to establish where the firm ground is, so that we can build it up and get it right. It is not just a matter of getting it done. That is what seemed to be coming through at one stage. We are trying to get it right; and that is a difficult process. I hope that the Minister realised that from the questioning.

Mr D Bradley: I would like further clarification, if possible, on what conversations the Minister may have

had with the Department of Education about possible synchronisation of the establishment of the library authority and the education and skills authority. Also, I would like clarification on how links between the public library service and the schools' library service will be maintained and developed and what type of service level agreement there will be and what issues it will cover.

The Chairperson: It is agreed that the Committee will request that information.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR THE ENVIRONMENT

Thursday 18 October 2007

TAXIS BILL (NIA 4/07)

Members present for all or part of the proceedings:

Mr Patsy McGlone (Chairperson)
Mr Cathal Boylan (Deputy Chairperson)
Mr Trevor Clarke
Mr David Ford
Mr Tommy Gallagher
Mr Samuel Gardiner
Mr Ian McCrea

Witnesses:

Mr Bill Lavery	}	Department of the Environment
Mr John McMullan		
Mrs Adele Watters		

The Chairperson (Mr McGlone): I welcome Mr Bill Lavery, Mr John McMullan and Mrs Adele Watters from the Department of the Environment. I believe that you are going to give the Committee a short introduction and that John will then provide a short summary of each clause.

Mr Ford: On a technical point; when they were with us last week, the officials were referring to the printed copy of the Bill, which contains line numbers. Committee members have before them what appears to be a printout from the website, which does not have line numbers. That makes it difficult to follow what the officials are talking about in detail. Could we all have the same version of the Bill when we are doing clause-by-clause scrutiny?

The Committee Clerk: The master file and copies of the Bill should be here.

The Chairperson: Do members have a photocopy of the original Bill?

Mr Ford: The problem is that each version we have been given has not been a copy of the original Bill.

The Committee Clerk: We will get that version for members.

Mrs Adele Watters (Department of the Environment): I will make a few brief introductory comments on two matters. The first is a preamble to today's proceedings, and the second will pick up on some of the matters that the Bill Clerk mentioned concerning the enabling nature of the Bill. The Bill team is happy to be here today, and we will try to assist the Committee in any way.

First, we have been working with the Committee Clerk and her staff to provide the Department's comments on the key issues identified in the written submissions and in the oral evidence. Although the Department has not attempted to respond to every comment, we are happy to answer questions on anything raised in the written submissions and oral evidence or on any other points pertaining to the Bill. We will try to answer members' questions as fully as possible, but, if there are questions we cannot answer, we will try to respond before next week's meeting.

Secondly, the Bill is enabling legislation: its purpose is to put into place a new framework for taxi regulation. When the proposed legislation was being brought forward as an Order in Council, the Department issued an information note with it at consultation stage — that note has been circulated to members. It set out the Department's vision and described the key elements of the new system when fully in place. The Department is pleased with that approach because it was open and transparent and helped us to engage stakeholders, particularly the taxi industry, in the issues. It has also meant that the Committee has received a number of responses, some directly on the Bill and many others on the implications of the future reform programme.

As the Bill Clerk said, there will be a lot of detail in the implementation of the Bill, and we will be returning to the Committee with consultation papers, regulatory impact assessments and, of course, regulations. We will be able to engage with the Committee on detail at that time. We look forward to engaging with the Committee over the coming years in that programme and are happy to start today by assisting with the clause-by-clause scrutiny.

Mr John McMullan (Department of the Environment): Part 1, Chapter 1 of the Bill deals with the regulation of taxi operators. Clause 1, which deals with the requirement for operator's licences, is one of the Bill's fundamental clauses. At the moment, there is no regulation for taxi operators in Northern Ireland. Clause 1 will make it a requirement for a person to have an operator's licence before he or she can operate a taxi service. Operating a taxi service without such a licence will be an offence with a maximum fine of £5,000. The exception to that requirement will be for the "affiliated driver", who is a person who works for

an operator and therefore comes under the umbrella of that operator's licence.

The term "operate a taxi service" is defined in the Bill and encompasses the present modes of taxi business, which are: accepting a taxi booking and standing or plying for hire. It is worth mentioning that, at the top of page 2 of the Bill, the definition of the term "operate a taxi service" is "subject to such exceptions as may be prescribed." That phrase will allow the Department to make exemptions to the requirements of an operator's licence. Basically, that is the set-up.

The Chairperson: Will you clarify where that provision may be found in the Bill?

Mr McMullan: It is the last few words of clause 1. The wording reads:

"subject to such exceptions as may be prescribed."

The Chairperson: Did you say exceptions or exemptions?

Mr McMullan: The word is "exceptions". It allows us to except — or exempt, I suppose — certain activity that does not equate to operating a taxi service.

Mrs Watters: Does the Committee want officials to address the key issues raised?

The Chairperson: I apologise. Do you mean as regards to how the Committee wishes to deal with the issues at today's meeting?

Mrs Watters: Yes.

The Chairperson: We would like you to present a brief overview of each clause, then, if members wish to raise an issue based on some of the written or oral evidence that the Committee has received, they can do so. Questions can also be based on the departmental comments that have been included in the synopsis. Members have the key issues before them, which they can peruse as you present details of the clauses. John, have you dealt with clause 1, completely?

Mr McMullan: Yes.

The Chairperson: Do members have any issues that they would like to raise from the evidence that has been received? I asked about "exceptions" or "exemptions" because of an issue that was raised by undertakers. They suggested that vehicles used for mourners should be granted an exemption from the licence. What is the Department's view on that?

Mrs Watters: Traditionally in Northern Ireland, funeral cars have been regarded as public service vehicles and have been licensed as taxis. They are granted many exemptions from certain requirements, such as those for signage, taximeters, and so forth. The Department has always taken the view that if a vehicle is being provided for hire and reward then, in the

interests of those who pay for those services, it is important that such a vehicle is regulated.

The situation in GB is different, and that is partly why the National Association of Funeral Directors suggested the exemption. We do not know much more about the funeral directors' position other than what is in their written submission. We invited them to meet us, as did the Committee, to explore their position in more detail. Without pre-empting the outcome of that meeting, the Department's starting position is that it would prefer them to remain covered by the legislation rather than exempted on the face of the Bill. If a strong case were to be made, there is provision in the Bill for an exemption.

The Chairperson: Are there any other queries?

Mr Boylan: Are affiliated drivers who work for a firm but also work privately required to obtain an operator's licence?

Mrs Watters: I am not sure whether that issue comes under clause 1. Is the member content for us to return to the matter when it is dealt with under a later clause?

Mr Boylan: I just wondered, because affiliated drivers are mentioned in clause 1.

Mrs Watters: There may be occasions when the detailed comments have been correctly linked with a clause and other occasions when they relate to other clauses.

Mr T Clarke: To be seen as a totally reasonable person, given our last debate, I would say that clause 1 is fine. My only query relates to the smaller operator. Could the cost of an operator's licence be banded according to the size of a business? That would help small businesses and act as an incentive for them to ensure that they operate within the law.

Mrs Watters: Yes, there is that flexibility. In the information note to which I referred, we were conscious that the industry would be concerned about the size and structure of the fees. Feedback from the industry should that it would be happiest for the fee to reflect, roughly, the size of the business. Therefore, small operators would pay a greatly reduced fee.

The Chairperson: Are members content? Before moving on to clause 1(2) —

Mr McMullan: We have covered all subsections in clause 1. Perhaps we should move on to clause 2.

The Chairperson: Sorry, I did not realise that. In that case, is the Committee broadly happy with clause 1?

Mr T Clarke: During the oral submissions it was suggested that an operator's licence should be required at places such as Belfast City Airport. Would that form part of the legislation?

Mrs Watters: The legislation will cover every taxi business, irrespective of its size or where it operates.

Mr T Clarke: Therefore, a business operating there should have an operator's licence.

Mrs Watters: Yes, absolutely.

The Chairperson: Are members broadly content with clause 1?

Members indicated assent.

Mr McMullan: Clause 2(1) provides that: "Any person may apply to the Department for an operator's licence."

Clause 2(2) states that the applicant must state the name and address of an operating centre in Northern Ireland. Clause 2(4) states that the Department will grant an operator's licence if it is satisfied that the person is a fit and proper person and meets any other requirements that may be prescribed. The Department may impose conditions on a licence, and the important point to note in clause 2(5) is that it may specify a percentage of vehicles that must be of a particular class. The Department wants to be able to set a percentage for operators as regards accessible vehicles.

Clause 2(7) states that the licence will be granted for five years, and any refusal of a licence will be subject to appeal to the magistrates' court.

The Chairperson: Members will recall Mr Grogan, the driver with literacy problems, who provided evidence to the Committee. He is probably a brilliant driver, but he queried the obstacles that may be placed in the way of his being able to fulfil that role and how he — and people like him — could be accommodated. I am not sure where that is covered in the Bill, but it is an important issue.

Mrs Watters: I agree. Those points are reflected under clause 1. Mr Grogan said that drivers who cannot read or write should be exempt from holding an operator's licence — and I think that he said that in response to a question from Mr Ford. I believe Mr Grogan had two main concerns: first, he was concerned about whether he would be able to meet the training requirement; and, secondly, whether he would be able to maintain the required records. The Department's feeling is that the duties for an operator should be proportionate and take account of circumstances. A sole operator's recording requirements will be different from those required by a driver from a larger depot, for example. In discussion with Mr Grogan, we suggested that there would be different ways of recording the information that he was required to keep. The meters used in taxis are sophisticated small computers, and they may be able to keep a lot of the information that the driver is required to keep. The Department wants to explore various workarounds for operators' record keeping.

As regards training requirements, the Department has been working closely with GoSkills — part of the Sector Skills Council for Road Passenger Transport — and the Department for Employment and Learning. They will soon commence a specific programme to develop essential skills training for taxi drivers, who will be trained in reading, writing and ICT. It is intended that a number of drivers will undertake the training in the next couple of years. The Department, therefore, is taking a number of positive steps to accommodate such people as Mr Grogan.

Mr T Clarke: One of the issues arising was that a sex offender should not be able to obtain a taxi operator's licence. The Department's view is that:

"it would not be appropriate to amend the Taxis Bill to automatically bar any category of offender from obtaining a licence. Such a provision would potentially conflict with the Protection of Children and Vulnerable Adults Order (Northern Ireland) 2003".

Surely the opposite applies. Barring any category of offender would protect children, would it not?

Mrs Watters: That is correct. However, the Department is saying that the rules and arrangements for vetting and barring are set out in legislation relating to the protection of children and vulnerable adults, which came out of the Bichard inquiry into the Soham murders.

The Chairperson: Therefore, you are saying that there is other legislation to oversee those issues?

Mrs Watters: Yes. The Taxis Bill may state that a person must be fit and proper in order to get an operator's licence, but the Department can only go so far in stating what constitutes a "fit and proper person" before someone steps in and says that the arrangements for all occupations and professions are set out in other legislation.

The Chairperson: Therefore, other legislation would provide that definition for all Departments.

Mr T Clarke: However, the wording of the Department's response is not good.

Mrs Watters: I apologise if it looks as if there is some conflict.

Mr T Clarke: The response states that such a provision would potentially conflict with the protection of children, but the contrary is true.

Mr Ford: It says that it would conflict with the Order.

Mr T Clarke: That is not what it says.

Mr Ford: It is what it is says.

The Chairperson: We know now what the position is, so we have clarity.

There is a suggestion that provision should be made for an internal or independent review of

DOE decisions before appeal to the courts. Is the Department going to provide for that?

Mr McMullan: The Department sees merit in this. A similar provision is included in clause 11, which I hope we will get to today. As occurs in other legislation, the first tier of appeal is to the Department. If a person is still dissatisfied, the appeal then moves to the magistrates' court. There are several benefits, in that cases that go to the courts unnecessarily can be filtered out and dealt with more quickly. Depending on the Committee's feelings, the Department would not object to a two-tier appeals system; the first being to the Department, and the second to the magistrates' court.

The Chairperson: Are members content with that?

Mr Ford: I want to refer back to the point made by Eamon Grogan. Does the Department see its provision as applying to existing taxi drivers only, or would it be a continuing provision?

Mrs Watters: It would be a continuing provision.

Mr Ford: I welcome the fact that the Department is saying that it sees merit in the informal appeal mechanism, but there needs to be a little bit more than merit. It is slightly anomalous that clause 11 has a specific provision for one area only. I would have thought that there needed to be a bit more spelling-out as to how such an appeal mechanism might operate, although I accept that most of it will be covered by subordinate legislation. One of the things that the drivers are looking for is an assurance that they will get some sort of hearing without having to end up in court.

The Chairperson: Is it appropriate for the Committee to ask for that to happen as a recommendation or an amendment?

Mrs Watters: The matter has been raised in written and oral evidence. As has been pointed out, there is an anomaly. The Bill was read across and was drafted from one piece of legislation in such a way that that provision only applied in one instance. Now that it has been brought to our attention, there is merit in applying it more broadly.

Mr Ford: Given the complexity across a range of different areas, I hope that the Department will return with a comprehensive set of amendments, rather than leaving us to do it. And, for the purposes of Hansard, I see the officials nodding in agreement. *[Laughter.]*

The Chairperson: Is the Committee content that this is a proposed amendment that could be agreed?

Members indicated assent.

Mr McMullan: Clause 3 places certain duties on licensed operators. First, an operator must use only licensed drivers and vehicles. Failure to do will result in a maximum fine of up to £5,000. An operator must also:

"keep such records as may be prescribed";

and those records are set out at clause 3(3)(b). An operator must be able to produce those records for departmental inspection. Records of complaints must also be kept, and complaints must be dealt with in such a manner as may be prescribed. Contravention of that provision could also lead to a fine of up to £1,000.

The point made by Mr Boylan is covered by clause 3(7), which deals with affiliated drivers.

"Subject to such exceptions as may be prescribed, a person shall not be an affiliated driver of more than one licensed operator at any one time."

Exceptions can be worked in under that provision.

The Chairperson: Are there any questions?

Mr Ford: How will that provision apply to a sole-operator who may, at times, want to work in a wider grouping and be affiliated to another operator while remaining a sole-operator? That point was raised in one of the submissions.

Mrs Watters: The Department is saying that the general rule should be that someone can work for only one operator at a time, and that if they are a sole-operator, they are working for themselves. In general, they would not be able to work for themselves and work for a depot as well. In a sense, they would have to make that election.

Through consultations with the industry, we are aware that there may be situations in which a person whose main work during the week comes from school contracts wants to work at the weekend for his brother who has a taxi company. Alternatively, he may want to be available for wedding services. Provided the case is made for such an arrangement, and that it does not undermine the overall intention of operator licensing and is not difficult for operators to control, such activity will be allowed.

However, it should be borne in mind that if someone is working for one operator, and is also working for himself or another operator, the difficulty could be that it may be unclear who that person is actually working for at any given time.

We have provided for exceptions in the Bill to cover situations such as that. The Department cannot foresee any definite exceptions, but has left it open for a case to be made.

The Chairperson: I see merit in the suggestion that the Department should take into consideration the recommendations of the General Consumer Council for Northern Ireland (GCCNI). I know that the Department is meeting with the GCCNI next week. If the GCCNI is to have a role, what shape or form would that take?

Mrs Watters: It could take the form of an amendment, which would be written into the Bill and would give the GCCNI a statutory role that would require the Department to consult with it on the arrangements for passenger complaints.

Alternatively, it could be the case that the first line of complaint would be to the operator; the second line of complaint would be to the GCCNI, copied to the Department. We want to meet with the GCCNI to find out what they would like to happen in practice, and we will then ascertain how that may be translated into an amendment.

The Chairperson: Do members agree that that should be proposed as an amendment?

Mrs Watters: Would the Committee like us to return with details for an amendment that would be agreeable to all parties?

Members indicated assent.

Mr McMullan: Clause 4 can be described fairly simply. It provides that a licensed operator may only sub-contract a booking to another licensed operator. To do otherwise will be an offence that can result in a £1000 fine being imposed.

The Chairperson: Are members happy with clause 4?

Mr Ford: Mr Samuel Egerton asked whether it was legal for someone to ask an affiliated driver to cover a job. Presumably, officials are saying that it is legal only if drivers tell their depot they are doing so.

Mrs Watters: Yes.

The Chairperson: In practice, how will that work? Would they inform their depot via mobile phone, or maybe text messages?

Mrs Watters: Yes, with a mobile phone or a text message it would be very easy to tell the operator that one is doing a job.

The Chairperson: Yes, as long as you have the number at hand.

Mr T Clarke: The job could be done by the time a text message is sent.

The Chairperson: Are we agreed on the general thrust of clause 4?

Members indicated assent

Mr McMullan: At clause 5, we move into chapter 2 of the Bill, which deals with the hiring of taxis at separate fares. Clause 5 is a general clause, as members can see from the title. It is declaratory, and it states that the bidding of taxis at separate fares is permissible is three ways. The first is under clause 6 by way of a taxi-sharing scheme. The second is under clause 7, which covers the circumstance in which all the passengers book their journeys in advance and

consent to sharing a taxi. The third is where the Department authorises an operator to provide a service for the carriage of passengers at separate fares. That sets out what happens in clauses 6, 7 and 8.

Mr Ford: The nature of the schemes that the Department may approve appears to be rather unclear. Analogous examples came up in the evidence from the North-West Taxi Proprietors and that from Mr Samuel Egerton, who pointed out that on a weekend night in the centre of Belfast, a taxi driver who finds a passenger who wants to go to Glengormley and two for Ballyclare cannot put them all in his taxi together. Surely to be able to do so would be entirely sensible and worthwhile, and would be in keeping with the Committee's desire to see large groups of people moved as fast as possible at night. Am I correct that as those clauses are currently drafted, the circumstances that I have outlined are not legal, unless the passengers pretend that they are friends?

Mr McMullan: That situation is permissible if they book the taxi in advance, because they all consent to sharing the fare. Again, the mobile phone may be useful.

Mr Ford: If our aim is to get taxi ranks and taxi marshals to operate as efficiently as possible in Belfast, surely people would be asked to share taxis in the interests of efficiency? It appears that the circumstances that I have outlined do not fit the bill, with the clauses as currently drafted.

Mrs Watters: They do not fit the bill, in the sense that that all sounds reasonable. However, that situation can become unreasonable, and abuse can occur when the person who is dropped off first is charged approximately the same fare as if they had had exclusive use of the taxi, and the customers who are dropped off second are charged in the same way. In that case, the taxi driver wins, but the passengers have not won.

Mr Ford: They have not lost either.

Mr T Clarke: How do you police that situation?

Mrs Watters: Many complaints have been received about such situations. It is all very well when passengers consent, and they are happy, but the problem arises in the situation when there is enforced sharing. If a taxi is going in a certain direction, it is assumed that all the passengers must share the fare, but the basis on which the fare will be divvied up is not clear to the passengers, and that is a situation where abuse can take place.

Mr T Clarke: If two people pick up a taxi in Belfast and are not friends but constitute separate fares, surely the taxi driver has nevertheless done a good job by taking two people or parties off the street rather than leaving one for another taxi, which may not turn up, especially late at night. Were two people, one going to

Glengormley and the other to Antrim, to get in a taxi, they would know that if they were going on their own, they would pay from Belfast to Glengormley, or to Antrim. Why make it so complicated?

Mr Bill Lavery (Department of the Environment): Traditionally, taxis are hired as a whole, although in Northern Ireland the legislation is silent on that. We are trying to legitimise taxi sharing. One of the main stems is the setting up of taxi-sharing schemes. The scheme would be ordered by the Department from particular locations, for example from busy spots in towns and particular ranks. The regulations governing the scheme would state the destinations to which the taxis would go.

Mr T Clarke: You are complicating the issue. Let us get back to the situation on Saturday night in Belfast. We have heard from the taxi industry that not enough taxis are in operation at that time. Say, for example, four people, two couples, are waiting to get a taxi home. One pair wants to travel to Glengormley and the other wants to travel to Antrim. Under this legislation, what practice are you trying to promote?

Mrs Watters: Under this legislation, we propose the setting up of a taxi-sharing scheme that would clearly state that the fare to Glengormley would be x and the fare on to Antrim would be y. Both those fares would be cheaper for the passengers than a single separate fare to either destination.

Mr T Clarke: So if I was travelling to Antrim, the person who is being dropped off in Glengormley would subsidise my fare to Antrim. That is what you are saying, and that is unfair to the taxi industry.

Mr Lavery: No.

Mr T Clarke: I will go back to my example of the two couples and the two fares. If those two couples had taken separate taxis, the couple travelling to Antrim would not have had their fare subsidised. Why are we penalising the taxi drivers for clearing the streets more quickly? That is, in effect, what the scheme would do.

Mrs Watters: Passengers have complained to the Department about their experience of enforced taxi-sharing, where the taxi driver gets all the benefit. He basically gets all the fares —

Mr T Clarke: He is providing the service.

Mrs Watters: Yes, the driver is providing the service, but on a take-it-or-leave-it basis. Either the passenger shares the taxi with someone else and pays the full fare, or they do not get a taxi at all. We would like a scheme whereby passengers can have exclusive use of a taxi if they wish, but, if they avail of a shared service, they would be able to get a price discount.

Mr T Clarke: The Department is putting a provision in the Bill that it cannot police.

The Chairperson: I was about to make that point.

Mr T Clarke: Through this provision, the Department is trying to criminalise taxi drivers and make life difficult for them, yet it cannot even police the proposal.

The Chairperson: Let us say that the fare to Glengormley is 20 quid and the fare to Antrim is 40 quid. The Department believes that there should be a required stipulation for a shared fee, whatever it might be. However, how can the Department ensure that those fees are charged?

Mrs Watters: Situations may arise whereby the passengers and the taxi-drivers are agreed on a fare, and it is in the interests of all parties to come to that arrangement. In those instances, you are right, we cannot enforce any stipulation. However, we want to make provision for sharing schemes.

The Chairperson: We are back to the situation that was described in evidence that we heard from disabled people. I read last night about a person who had to attend a meeting in the Stormont estate with the NIO. That individual obviously had to be here at a set time. That person had to pay a fare of, I think, 70 quid and had to footer around Stormont for about three hours. No matter how much we legislate here, in practice, excessive fares will still be charged.

Mrs Watters: Yes. However, we want to at least make provision in the Bill for shared schemes that are properly controlled, and that are of benefit to both the taxi driver and the passenger.

The Chairperson: That brings me back to the issue of control and enforcement. Those words pop up throughout the Bill.

Mr I McCrea: You talked about how the scheme would operate from specific ranks. However, passengers may not be near those ranks when they want to go home. Again, it is a matter of taking people off the streets at night. Surely the same rules should apply when someone hails a taxi on the street. I find it difficult to understand how the scheme will be policed. Taxi-sharing will continue to happen in Belfast, whether we like it or not, and whether or not we provide for it in the legislation.

If the scheme were to apply to taxis picking fares up on the street, how would the metering system be factored in? The meter runs from point of pick up to destination. The idea seems to be to help passengers by giving them a fare concession, but no concession can be given if a meter is in operation.

Mr Lavery: Not every taxi would be allowed to participate in the taxi-sharing scheme. The Bill states

that the Department may by Order make a taxi-sharing scheme.

That would be a scheme with a starting point. Taxis at peak times, for example on Friday and Saturday night, that are prepared to travel long distances and accommodate a number of passengers, could drop passengers off on the Antrim Road perhaps, on the way to Glengormley. The fares for the taxi-sharing scheme would be set in the regulations by the Department. There are examples of those schemes operating in London. The main one is at Paddington Station, where a number of taxis provide a zonal service that people can use, providing they are prepared to share a taxi. The fares are set by Transport for London.

Mr T Clarke: Sorry, I cannot wait any longer to say this: London is bigger than Northern Ireland, so it would be ridiculous for us to try to copy something that is happening in London.

The Chairperson: There is another aspect to this aside from enforceability. What incentive is there for a taxi driver, other than some currently unenforceable legislative imperative, to do that?

Secondly, I can see how a zoned area works. If you hail a taxi and you know that it is part of a shared scheme, it is your choice, and may be an easy way to get home. The big problem that we have, particularly in Belfast, is will the Department define zones within which such schemes will operate, and only taxis authorised to provide shared services will be available?

Mr I McCrea: Accessible zones.

The Chairperson: Yes.

Mr T Clarke: You are going to put taxi drivers against each other if you go down that route. That is provided that the taxi drivers operate the sharing scheme correctly, because if Patsy and I were taxi drivers, and I was picking up, and Patsy was sitting at the rank waiting for the next fare, if I take two to get the price of one fare that would leave Patsy with nothing. Taxi drivers would not want to take the fares. Why would Patsy want to take a double fare — a Glengormley and an Antrim lift — if he is only being paid for one.

Mr Boylan: To be honest, if I was paying a certain amount to travel from Armagh to Belfast, and someone got into the taxi at Portadown and paid the same as me, I certainly would not object to that. The main problem that I can see is enforcement. I would like to hear how that could be done. I understand the concept of the proposal. A taxi driver can pick up two people, and get paid £40 for a trip to Bangor and £20 for the half distance as well. What we want is a system that is fair and gives value for money to the passenger as well. I am concerned about enforcement.

The Chairperson: To come back to that point — the issue of zoning has obviously at least been raised, but have you given any further thought as to how that would work out?

Mrs Watters: Not a great deal. Remember, the taxi-sharing schemes are something that the Department may put in place, so there is discretion. Where taxi-sharing schemes have been implemented in GB, initially they were on a pilot basis to see how they would work in that particular environment, to assess the demand and to see how they would work out for passengers and drivers. Before the use of those provisions could be ruled out, there could perhaps be one or two pilot schemes, and we would then work out the details and any difficulties over zoning.

Mr T Clarke: We are launching the space shuttle before we have it built.

The Chairperson: We need to reach some conclusion. There have been some reservations and caveats inserted around clause 5.

Mrs Watters: To summarise to ensure that we are agreed: there is an issue about the enforceability of taxi sharing at separate fares. Also, is it that members can envisage situations that although everyone has consented to sharing, advanced bookings would be a problem? Are members saying that that should be provided for in the legislation?

Mr T Clarke: I am more concerned about the taxi industry. Cathal referred to an Armagh to Portadown trip. If a taxi drives through Portadown, and it is teeming out of the heavens, a customer should not get into that taxi if they do not want to pay the fare. I am thinking of the taxi driver here. Much of the legislation is designed for everyone, but, at the end of the day, the taxi driver is running a business and if he wants to drive past a fare, he should drive past it rather than picking up the fare to share it with someone else.

The Chairperson: What incentives for taxi drivers are contained in the legislation?

Mrs Watters: A taxi driver could take one passenger from Belfast to Glengormley and it could cost, for example, £8.00. However, under a taxi-sharing scheme, they could take five passengers, each paying £5.00, and the taxi driver could get £25.00, so everyone wins.

Mr T Clarke: That scheme does not exist.

Mrs Watters: Yes, I know, but that level of detail to allow for such a scheme could be provided in the legislation. The idea is that both parties would win in the taxi-sharing scheme. At the moment, when there is taxi sharing, the taxi driver wins and the passengers do not — apart from the fact that they get home.

Mr T Clarke: That is a fair system, as they are the guys who buy the expensive cars and sit out late at night when we are asleep in bed. Having listened to some of them, they have problems even paying for that investment. Three people sharing a taxi is the norm on Friday or Saturday nights anyway, so the chances of taxis having any space are slim. We are talking about something that does not even happen very often. Anyone who is in business likes to get the icing on the cake. For the taxi driver, the icing on the cake is when they get a double run in the one journey. They should be allowed that icing; therefore, I am against that clause.

Mr Lavery: Under the taxi-sharing scheme, the taxi driver would get more and the passenger would pay less.

Mr T Clarke: We do not have a taxi-sharing scheme.

Mr Lavery: Clause 5 makes provision for that. Not all taxis will participate in the scheme. There is provision in this clause for taxis operating under such a scheme to be discretely identified as taxi-sharing taxis operating from a particular location.

The Chairperson: Do you have locations in mind, or is that subject to further regulation down the line? Perhaps there would be pilot exercises, subject to zonings, to specific locations and to the identification of such taxis.

Mrs Watters: Exactly, that is correct. There could be a taxi-sharing scheme at a bus station or train station, for example, particularly where a flood of people arrive at one time. It helps to match passengers to taxis.

The Chairperson: Will you summarise your view of our opinion?

Mrs Watters: The Committee feels that enforceability would be a problem, and you would like the Department's views on how a taxi-sharing scheme could be properly enforced. In essence, that is really the issue.

Mr T Clarke: What about the taxi driver?

Mrs Watters: That is where piloting comes in. If the Department were to agree that a taxi-sharing scheme could be set up at Central Station, but the industry were not interested in getting involved, the scheme would not run. It would only run if members of the industry wanted to get involved and, in practice, they often do.

Mr T Clarke: That is fine, but what about the taxi drivers who would work from other ranks? We need to be sure that we are not tying down that taxi driver in other areas of Belfast or wherever it may be. It is all very well to talk of a special scheme operating at Central Station or wherever, but we have already put

something in the legislation that will prevent that from happening.

Mr Gallagher: Since the Department has an enabling power, it can try out a pilot scheme and develop the taxi-sharing schemes, if there is anything worth developing as a result of the pilot. We are agreeing only that the Department has the power to do that. The taxi industry may then avail of the opportunity; but it is for the industry to reflect on whether it is viable.

Mr T Clarke: Are we not also saying that they cannot do all the different scenarios that we have said that they are doing? Are we not preventing them from doing that by agreeing to allow taxi-sharing schemes?

The Chairperson: We are providing the legislation, but that does not mean that the schemes will happen.

Mr Boylan: If the operators and customers consent to it they will try it out. That is their choice. We are making it available. If it does not work, it does not work.

Mr T Clarke: It says here, under Departmental comments, that this is: "to protect taxi users from being overcharged".

Do we accept that? Central Station is the pilot scheme; so take that out of the equation. If a taxi driver lifts three customers at Belfast City Hall to go to Glengormley or Antrim, and charges three different fares for three different passengers —

The Chairperson: Can we arrive at an agreement? Is the Committee happy with the summary that Adele has presented?

Mr T Clarke: No.

Mr Gallagher: Yes.

The Chairperson: Please read it out one final time.

Mrs Watters: Some members are concerned that the provisions that the Department would like to put in place in relation to taxi-sharing schemes may be unenforceable. One member considers it unfair on taxi drivers to be subjected to any restrictions on when they can charge separate fares, because that is, as he says, the icing on the cake.

Mr T Clarke: I am happy with that.

The Chairperson: We will review this aspect again.

[Laughter.]

Mr Gardiner: The issue is how the schemes would be policed; that is the bottom line.

Mrs Watters: Yes.

The Chairperson: We have covered clauses 5 and 6. We will move quickly to clause 7. I want to speed up progress.

Mr McMullan: We touched on clause 7 as well. That relates to customers booking a journey in advance and then consenting to share that taxi. Mr Clarke's point that we should not get hung up on the booking. People can hail a taxi and consent to the fare. That is something we will have to consider.

The Chairperson: Can we move to clause 8?

Mrs Watters: I should say that there are some points relating to clause 6 that the Committee has not addressed. It is suggested that taxibus operators who already hold a roads service licence should automatically be permitted to operate taxi-sharing schemes. The Department's view is that that would discourage competition. It was suggested that, if the Department decided to run a taxi-sharing scheme, there should be open competition for taxi drivers who want to be involved.

The Chairperson: We are agreed on that bit. Let us move on then to clause 8.

Mr McMullan: We can link clauses 8, 9 and 10, which all do the same thing. This is the situation where the Department can authorise an operator to provide a service at separate fares. This is really the bus-type service which the West Belfast taxis presently operate.

Clause 8 sets out the framework. It enables the Department to authorise an operator's licence to provide such a service and can restrict it to a particular class of taxi, which the Department sees as accessible taxis, and such other conditions that may be prescribed.

The information that the Department will want from an applicant is set out in clause 9:

"such information as may reasonably be required"

It also includes information about the timetabling of the service. When the Department is deciding on whether to authorise such a licence, it should consider various criteria. Those criteria are based on the interests of people that are likely to use the service, the people that are providing such a service, the suitability of routes, the need for the service and the effect on other holders of the same type of licence or a road service licence.

Clause 10(3) contains an exemption. It states that "Subsection (2)(a) shall not apply". Subsection 2(a) refers to the suitability of routes. As we said last week, the Department intends that someone who, as the holder of a road service licence, has already gone through all those criteria, should not have to go through the process again. Rather than linking to one criterion, they should be exempt from the whole provision if they hold a road service licence.

Mr T Clarke: How does a taxibus work?

The Chairperson: Not mechanically, I hope.

Mr T Clarke: No, how does it collect its fares?

Mr Lavery: Taxibuses operate in seven routes in west Belfast and in north Belfast. For PSV purposes, they are licensed as taxis and they go through the PSV test annually. However, the service that they provide is not a typical taxi service. They do not respond to pre-booked calls, and they do not stand for hire as the black taxis in Belfast do. A number of years ago, in addition to licensing taxibuses as taxis, the Department decided to grant them a road service licence, which is a bus operator's licence, to operate the seven authorised routes.

Mr T Clarke: Taxibuses have various stops and they can lift more than one passenger at each of those stops. The person who gets on first pays the same price as the next person. That leads to the same point that I have just made about taxi drivers. It is unfair that there are any restrictions on when taxi drivers can charge separate fares. Taxibuses are exempt from those restrictions. A taxibus driver can go on a route and the first and last passengers may be charged £5 for a journey to the centre of Belfast; the passengers are charged separately. However taxi drivers cannot do that. That is a two-tier system, and I can understand the frustration in the industry towards taxibuses. That is why I asked you to outline exactly how they work.

Mrs Watters: The system is similar to any bus service. Currently, the standard fee on a Translink bus is £1.30, or 65p for a concession. It does not matter at what stage you get on the bus; everyone knows what the deal is.

Mr T Clarke: It is unfair that someone pays £1.30 and someone behind him also pays £1.30, no matter where they are going. It is considered unfair for taxis to charge separately but not unfair for buses to do it. It is considered unfair for someone to pay the taxi fare from Belfast to Glengormley, and for another passenger to pay the extra part of the fare to Antrim.

The Chairperson: The average punter does not see a distinction between taxis, whether they are black, blue or red.

Mrs Watters: The idea is that the deal should be transparent when someone gets a taxi. A taxibus is a type of bus, where the person pays, for example, £1.30 no matter at what point on the route they get on. If someone gets a taxi, they have exclusive use of it and they will pay what is charged by the meter at the end of the journey. Under a proper scheme, passengers would know that they would definitely get a discount if they shared a taxi. It would not be an icing-on-the-cake situation, where the passenger would pay the same if he or she had got the taxi themselves.

Mr T Clarke: That is unfair. If a person is travelling from Belfast to Antrim and knows that, because they are travelling alone, the fare will be £16. Why should the fare be different because the person is sharing that

car with someone else? The person would have to share when travelling in a taxibus.

Mrs Watters: It is quite different. The general rule is that when someone opts to travel by taxi, the members of their party are going to be the only passengers. If someone opts to travel by bus, the deal is that they are sharing with other people and would pay a much cheaper fare.

Mr T Clarke: Are you saying that if someone gets into a taxi and there are two passengers in the back, they will not know that they are sharing it?

Mrs Watters: If there were no control over the sharing of fares, then one would have no way of knowing whether they are going to get ripped off.

Mr T Clarke: If it were made clear to the general public, then they would know. I draw a strong parallel between this clause and the one that the Committee discussed earlier. I have nothing against what is being said about taxibuses. However, I am trying to draw a comparison between taxibuses and taxi sharing, where people could be charged different fares.

The Chairperson: Will no taxibuses be participating in taxi sharing?

Mrs Watters: Operators may be licensed to provide taxibus services, and they may also want to work in a taxi-sharing scheme. This discussion is likely to get very complicated if we try to think of scenarios in which operators are doing both. However, it should be remembered that if a taxi is operating in a particular mode — for example as a taxibus — then there would be signage display requirements, which would state where the vehicle is going; for example from west Belfast to the city centre. Similarly, if the vehicle were part of a taxi-sharing scheme, it would be clear what scheme it is part of; for example, from Central Station to wherever. Therefore, taxibuses could potentially participate in taxi sharing.

The Chairperson: What are the Committee's views?

Mr T Clarke: It was suggested to the Committee that taxibuses should not be allowed to be used as normal taxis, yet the Department's response is:

"Such a rule would be unfairly restrictive particularly in areas where there are relatively few taxis."

The inference is that it is acceptable to be restrictive on taxibuses but unfair to be restrictive on taxis.

The Chairperson: Where are the areas with relatively few taxis? Taxibuses are a predominantly urban feature, are they not?

Mrs Watters: Taxibuses have been an urban phenomenon in Northern Ireland. However, in the Scottish highlands, for example, they are used in rural areas because although the local population may want a bus service, it may not be economically viable to use

a large bus. For example, for journeys between an outlying village and a town, a taxibus might bridge the gap between having a weekly service using a large bus and a daily service using a smaller vehicle. The point being made in the submission was that a vehicle providing a taxibus service should never be used for any other service. That seems to be an overly restrictive measure to put in the Bill. A vehicle being used for taxibus services during the day — with proper signage — should be permitted to be driven at night by someone else for another purpose.

The Chairperson: That is fine. Is the Committee content?

Members indicated assent.

Mrs Watters: I do not think that there are any points that the Committee wants us to return with as regards taxibuses.

Mr Boylan: I think that they are fine. *[Laughter.]* Whatever way one looks at it, they are value for money. I know that Trevor is making a point —

Mr T Clarke: I am only using taxibuses to make a point about taxis.

Mr Boylan: I know that and totally agree.

Mr Gardiner: I am inclined to support Trevor, particularly when it comes to taxibuses. If a taxibus sets off from Lurgan to Belfast and a passenger gets in at Moira, which is eight miles down the road, for the sake of fairness, a meter should be fitted to help the driver calculate the lesser fare and allow the passenger to see how that has been done.

Mr T Clarke: In that case, you are not in agreement with me. In the example I used earlier, when the taxi leaves Belfast —

The Chairperson: The point that Mr Gardiner was making concurs with what Adele said, which would allow that elbow room and build in flexibility to allow taxis to travel outside zoned or urban areas.

Mr Gardiner: I am from Upper Bann, and was thinking about travelling from my area into Belfast, rather than coming from Belfast.

The Chairperson: As you should. Much of our focus has been on Belfast.

Mr Gardiner: There are six counties in Northern Ireland.

The Chairperson: Is the Committee content with the discussion on clauses 8, 9 and 10?

Members indicated assent.

The Chairperson: We will move to clause 11. No issues have been raised.

Mr McMullan: That is correct.

The Chairperson: Presumably, by this stage, the Committee does not have any further issues. Are members content?

Members indicated assent.

Mr McMullan: We are now moving into Part 2 of the Bill, which covers the regulation of taxis. Clause 12 states that a taxi licence is required in order to use a vehicle as a taxi. Contravention of that requirement will result in a fine of £5,000.

The Chairperson: Is the Committee content?

Members indicated assent.

Mr McMullan: Clause 13 states that: “The owner of any taxi may apply to the Department for a taxi licence”.

Clause 13(2) is important because it allows the Department to grant a licence in respect of

“(a) taxis of such different classes of use as may be prescribed; and

(b) such different classes of use”.

There has been a lot of talk about one-tier and two-tier systems of use, and I apologise if members have been searching through the Bill for those systems because neither of them is mentioned. Clause 13(2) will allow the Department to license different classes of vehicle. In theory, we could license vehicles as they are now — for public and private hire. However, we will be licensing vehicles as accessible or non-accessible within a single, clear system. Therefore, this is where the one-tier system resides in the Bill.

Clause 13(3) covers another important point. The Department will be able to set out in regulations the suitable type, size and design of taxis. That will give us the power to specify what is meant by an accessible taxi.

A taxi licence will be granted for one year, and, as mentioned earlier in relation to other appeals procedures, appeals will be to the magistrates’ court.

The Chairperson: Are there any issues?

Mr T Clarke: Will the Department clarify the last point? Moving to a one-tier system will undoubtedly affect Belfast public-hire taxis, which will still be allowed to use the ranks, but will they also be allowed to tout for other business?

Mrs Watters: Anyone who is allowed to use a rank will be allowed to pick up fares from the street.

Mr T Clarke: Thank you.

Mr I McCrea: If memory serves me correctly, there were concerns about reducing the term of the licence to one year.

Mrs Watters: The Bill proposes that drivers will be required to renew their licences every three years. Currently, that must be done every five years. We will

come to that when we review clause 23, which will be for next week. *[Laughter.]*

Mr I McCrea: I am glad you pointed that out.

The Chairperson: Do you think so Adele? Of course, we would not assume that you are not ready for that. *[Laughter.]* We move now to clause 23. *[Laughter.]*

As regards clause 13, we received a suggestion on capping the number of public taxi hire plates and only increasing them in line with business needs. Is there any merit in that or, ultimately, is it down to the market finding its own way through?

Mrs Watters: It is down to the market finding its own level. It is very easy to get into the taxi industry, and there may well be an oversupply of taxis, although it may not feel like that at peak times. If the number of taxis were capped — and that is becoming less common across the UK — it would put a lot of power into the hands of the taxi industry. The moment it would be decided to raise the cap, taxi drivers would say that that affects the value of their licences. Licences would become tradable and transferable. In the South, licences were worth €130,000 before the industry was deregulated.

Mr T Clarke: How could a cap be imposed? How would someone bid to become included?

Mrs Watters: A limit of 11,000 taxis could be set.

Mr T Clarke: So those who are in, are in?

Mrs Watters: One would be pulling the ladder up, which is why the industry liked the idea.

The Chairperson: It is a bit like a pub licence.

Mrs Watters: Yes.

The Chairperson: The Committee received evidence that disabled people are being discriminated against. If they phone for a taxi they have to specify that they are disabled. That point was made during some very well articulated evidence from Mr Maguire. How can that situation be dealt with?

Mrs Watters: Mr Maguire went on to make the point that if all taxis were disabled-accessible nobody would have to say that they needed a taxi that meets their needs. If an operator has a mix of accessible and non-accessible taxis and it does not matter which taxi comes, that is fine. However, if someone needs a wheelchair-accessible taxi, they would have to request that from the operator. It is not a discrimination; it is an indication of the type of service that that person requires, and that an appropriate vehicle needs to be sent.

The Chairperson: Is there broad agreement on the issues regarding clause 13?

Members indicated assent.

Mr McMullan: Clause 14 places certain duties on the owners of licensed taxis. An owner will be required to present a taxi for inspection and testing through the Department. The taxi will not be required to be presented on more than three occasions in any one period of 12 months. Owners must report any accidents to their vehicles, particularly if it affects the safety or performance of their vehicle, and they must also report change of ownership and return the licence and the plates. Again, contravention of that will be an offence and incur a fine of £1,000.

The Chairperson: That brings things more or less into line with what the rest of us do with our own private vehicles.

Mrs Watters: Statutory off-road notification (SORN) applies to normal vehicles, and it would apply anyway if the vehicle were destroyed or sold on.

Mr I McCrea: I know that this question is going into details, but are you talking about any damage to a vehicle? Is it specific to any area, or damage, that could risk someone's health? Would it apply to any bump?

Mr Lavery: PSV regulations specify the extent of damage and define the word "bump". Strictly speaking, any accident should be reported and the vehicle should be taken off the road while it is repaired. It is a matter of standards of service to the public; it is a public-service vehicle.

The Chairperson: Are members content?

Members indicated assent.

Mr McMullan: Clause 15 deals with the identification of licensed vehicles. The Department will issue whatever identification plates, signs or distinguishing marks it decides to use. Driving a taxi without such identification will be an offence that carries a fine of £1,000. The plates must be exhibited in, "such manner as may be prescribed". That wording is important because it may be inappropriate to have taxi plates on wedding or funeral cars, for example, and it gives the Department some flexibility in dealing with such circumstances.

The Chairperson: There is nothing contentious there. Are members agreed?

Members indicated assent.

Mr McMullan: Clause 16 is one of the fundamental clauses in the Bill, and it deals with the regulation of fares. It allows the Department to set the maximum rates and fares to be charged for the hire of a taxi, and it will be an offence for a taxi to charge more than the maximum fare.

The Chairperson: The Committee Clerk has just pointed out to me that the General Consumer Council has raised some issues about the clause. Presumably,

the Department will bring the General Consumer Council's recommendations back to the Committee.

Mrs Watters: Yes.

Mr T Clarke: I recall that there was talk about a maximum fare. I never use taxis, but does that refer to taxis that have a set fare for a journey before it begins?

Mrs Watters: That would be what people refer to as the minimum fare or the flag-fall fare.

Mr Clarke: OK. What is the maximum fare that was referred to?

Mrs Watters: There might be a tariff that could be tailored for different times of the day. For example, the maximum initial charge for a particular journey could be £2.50, with a further charge of £1 per mile thereafter.

The Chairperson: Sorry, do you mean that £2.50 would be the least that they could charge?

Mrs Watters: No, £2.50 would be —

Mr T Clarke: Is that the minimum charge?

Mrs Watters: It would be the maximum initial charge.

The Chairperson: The maximum —

Mrs Watters: It is the maximum minimum charge.

The Chairperson: Do you mean the maximum basic charge?

Mrs Watters: Yes. When a person gets into the taxi and the driver turns on the meter, that fare would be displayed.

The Chairperson: Therefore, that fare cannot go any higher before the taxi sets off?

Mrs Watters: Yes.

Mr T Clarke: Are we talking about the maximum fare?

Mrs Watters: What we are saying is that when the Department sets fares, it —

The Chairperson: It is the maximum minimum charge.

Mrs Watters: Yes. It is the maximum minimum charge.

Mr T Clarke: Is that where the word "maximum" is coming from?

Mrs Watters: The Department would set out fares and charges, which would show the most that a taxi could charge. We would not penalise anybody for wishing to charge less, for example by giving students or pensioners a discount.

Mr T Clarke: I cannot grasp that; the wording does not seem right. It is a minimum fare. Could we not give it a different name?

Mrs Watters: “Initial charge” might be a more useful term. There are people in the taxi industry who say that there should be a minimum charge. I am not sure whether they mean that there should be an initial fare or that, whatever the initial fare is, nobody should be able to undercut it.

Mr T Clarke: Could we say that there would be a standard charge to a maximum of such and such, or that a standard charge should not exceed a certain sum?

The Chairperson: Or, perhaps we could say that the initial fare shall be no greater than an agreed amount?

Mr T Clarke: Yes.

Mrs Watters: There is a concern in some parts of Northern Ireland — for example, in Derry/Londonderry — where some drivers say that operators are charging uneconomic fares. Ultimately, the drivers suffer because fares are their income, and they want to be guaranteed at least £3 for every journey.

Mr T Clarke: Some of them have referred to a maximum fare.

Mr I McCrea: Will meters be set to the highest possible minimum fare? Some drivers have asked that the highest possible charge for the minimum fare is set.

Mrs Watters: There are technical details with regard to the calibration of meters.

The Chairperson: The Committee is confused about the wording, and there appears to be a need to tighten the precision of the wording in order to ensure that it is not subject to other interpretations.

Mr Lavery: The Republic of Ireland’s Taxi Regulation Act 2003 provides for maximum fares. The Committee may be aware that, in September 2006, the Republic introduced a national taxi fare across the industry on the basis of the maximum fare described in the Act.

The Chairperson: That is precisely the issue under discussion. Perhaps there is an appropriate form of words from which we can learn in the Act.

Mr Gardiner: I believe that it is the “maximum minimum” bit that is confusing. I understand where you are coming from but —

Mrs Watters: The words “maximum minimum” do not appear in the legislation. There is no reference in the legislation to an initial charge.

Mr Gardiner: Joe Public will not understand that. If members are confused, how are the public supposed to understand it? Words must be selected that will convey the message.

Mr T Clarke: I understand the term. It was the industry that did not understand it. When drivers gave evidence to the Committee, they referred to minimums and maximums.

Being from a rural area, I know that there is no minimum charge when someone gets into a taxi. I am concerned that there should be a mandatory maximum initial charge.

Mrs Watters: The Bill’s provisions would not make that mandatory, although some people in the industry would like it to be.

Mr T Clarke: We need to agree a form of words that would mean that the minimum fare could not exceed a certain sum of money. People in the countryside, particularly the elderly, depend on taxis to take them on short journeys. Where I live, there is a charge of £2.50 from outside the town. However, if a senior citizen is charged £2.50 before they are even taken down the street, the eventual fare will be too expensive.

Mrs Watters: Often the initial charge will cover the entire journey because the meter does not start the minute that the taxi moves off. Sometimes, the initial charge will include a certain distance.

Mr Lavery: When the meter is engaged, the minimum fare shows up automatically.

Mrs Watters: That is not a requirement of the Bill.

The Chairperson: In order to reflect the Committee’s views, can the wording be tightened up in order to make it more precise and clear?

Mr I McCrea: Is it the Department or the individual driver who sets the tariff on meters?

Mr Lavery: Normally, each taximeter is calibrated.

The Chairperson: That matter will come up when we discuss taximeters during our consideration of clause 18. The Committee is seeking further clarification on clause 17. Are Members content?

Members indicated assent.

Mr McMullan: As you rightly pointed out, Mr Chairman, clause 18 is linked to fares. It will be a requirement for all taxis to have a taximeter and a receipt printer, and it will be an offence if a taxi is not fitted with those devices. The Department has the power to regulate the testing, sealing and operation of taximeters, the display of tariffs and the details that must be included on receipts.

The Chairperson: Are there any questions?

Mr I McCrea: It should be compulsory to issue receipts on request. In evidence to the Committee, it was clear that people were being overcharged. Therefore there should be a mechanism whereby passengers who ask for a receipt should get one. That would be evidence of whether they had been charged an amount between the recommended minimum and maximum fares.

Mrs Watters: Should receipts be provided only on request, rather than there always being an expectation that they will be issued, or are you saying that the onus should be on the driver to provide receipts rather than on the passenger having to ask?

Mr I McCrea: I do not mind not getting a receipt. However, if I wanted one, I would like to be able to get it.

Mr McMullan: The legislation covers that.

Mr I McCrea: I am happy to take it to mean that everyone will get receipts.

Mrs Watters: If every driver is required to have a receipt printer, the provision of receipts becomes less of an issue. The main thing is that drivers have the mechanism to create receipts.

Mr I McCrea: There would be a concern about the cost of the receipt printers to the taxi drivers.

The Chairperson: Are members content?

Members indicated assent.

Mr McMullan: Clause 19 states that each taxi may carry a prescribed number of passengers, and that is worked out in the regulations. To carry a greater number of passengers means a £1000 fine.

The Chairperson: Are members content?

Members indicated assent.

Mr McMullan: Clause 20 sets out the Department's regulatory powers. There has been much talk about the Taxis Bill being an enabling Bill, and this is the classic enabling clause. Clause 20(1) states that the Department can make general regulations relating to taxis. Clause 20(2) allows the Department to regulate on a wide range of issues. Some provisions look to the future, such as regulating the colour of taxis — and I do not expect to see yellow taxis on the streets in Northern Ireland any time soon. The clause simply details issues on which the Department may regulate.

The Chairperson: Are there any issues?

Mr T Clarke: I want to be clear about how clause 20 will work when the Bill is passed. I am not being facetious but should the Department decide to paint all the taxis yellow, how would it implement that decision? That is simply an example. The same applies to other issues, but you will kill my curiosity by answering that question.

Mr McMullan: The general procedure is the same as for making any regulation. We would consult with the industry, the Committee and other stakeholders before deciding whether the regulation is sensible.

Mr T Clarke: Would any new regulations become amendments to the Bill?

Mr McMullan: No. They would be made as separate sets of regulations that will be sent to this Committee to agree.

Mr T Clarke: Do not take this the wrong way, but does clause 20 give you a clean brush to do what you want?

Mrs Watters: No. Any changes require regulations. We would have to consult and carry out a regulatory impact assessment that we would share with the Committee.

Mr Gallagher: That is important to know.

The Chairperson: Adele, at the last meeting, an issue with respect to clause 20(2)(c) cropped up.

Mrs Watters: Yes. The taxi-marshal proposals.

The Chairperson: It was put to you then that a little more thought needs to be put into that concept to reflect the views of the Committee that someone could be standing at the kerb with absolutely no powers to do anything. The other aspect of that was that there was an overlap between any potential enforcement powers that may, or may not, be there, and lack of clarity on what the role of a marshal might be in certain circumstances, as opposed to the enforcement officers. To be honest, I am not a wild pile wiser after last week.

Can you come back to the Committee with some detail on how you envisage the taxi-marshal proposals being taken forward?

Mrs Watters: OK.

The Chairperson: Thanks for that. With that built in, can we agree, with that caveat, clause 20?

Mr Boylan: I want to raise the issue of seat belts. Some taxis have flip-down seats that do not have seat belts. I was thinking about that from the point of view of children using them.

Mrs Watters: The provision for seat belts in taxis is included in the legislation for seat belts in other vehicles, so that is not a Taxi-Bill issue directly, because it is already provided for. Recognition is taken of the fact that because of the nature of the journeys, not all taxis can be expected to have child seats or restraints available. Certainly, where restraints or seats are available, they must be used.

The Chairperson: Can we move to clause 21?

Mr McMullan: There is currently an anomaly between the Department for Regional Development (DRD) and DOE with regard to taxi ranks. DRD makes the policy for taxi ranks, but the legislative function rests with DOE. Clause 21 places the legislative function with DRD. An opportunity will arise, when total responsibility for taxi ranks moves over to DRD, to use the traffic attendants in an enforcement manner. We recommend that the traffic

attendants should enforce the taxi regulation Order, which means that they will provide enforcement for incorrect parking at ranks and prescribe parking distances from ranks, etc. DOE can work out that transfer; it will require a small consequential amendment to a piece of DRD legislation.

The Chairperson: It says in the paper that you supplied on the proposed amendments to the Taxis Bill that:

“In the Department’s view, it would not be appropriate to extend the powers of traffic attendants to include the full range of enforcement powers.”

If they will not have the full range, what range will they have?

Mr McMullan: There is a distinction there in that the traffic attendants would not have any enforcement powers over the licensing of taxis. Their power would be confined to parking infringements at ranks. Their enforcement powers could be used, but only in relation to the parking of vehicles.

Mr T Clarke: Could that be clarified, because it is a bit of a grey area? I understand why they cannot have full enforcement powers — well I do and I do not, because we need a large degree of help with enforcement.

The Chairperson: I am not entirely sure that the first point squares with the second. Unless I am reading it wrong, it says:

“In future, DRD will make by means of ‘Taxi Regulation Order’”

and then:

“DOE and DRD agree that it would be appropriate for traffic attendants to be able to enforce such regulation orders” .

Mrs Watters: The second sentence needs to come out. That is wrong.

“transfers the legislative function by making taxi stands from DOE to DRD by means of ‘Taxi Regulation Orders’.”

The Chairperson: Can we park clause 21 and get clarification on that. We can revisit it later. We will probably begin at clause 21/22 at our next session.

We are agreed that clause 21 needs further clarification? We have exhausted most of the matters that we wanted to address on the Taxis Bill today — unless anyone wants to ask another question.

Mr T Clarke: No, thank you.

The Chairperson: I thank members, and I thank Bill, Adele and John for giving us their time today. We will see you next week.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR THE ENVIRONMENT

Tuesday 23 October 2007

TAXIS BILL (NIA 4/07)

Members present for all or part of the proceedings:

Mr Patsy McGlone (Chairperson)
Mr Cathal Boylan (Deputy Chairperson)
Mr Billy Armstrong
Mr Trevor Clarke
Mr David Ford
Mr Tommy Gallagher
Mr Samuel Gardiner
Mr Ian McCrea
Mr Daithi McKay
Mr Alex Maskey
Mr Peter Weir

Witnesses:

Mr John McMullan	}	Department of the Environment
Mrs Adele Watters		

The Chairperson (Mr McGlone): Are the witnesses happy to continue with the process that we used last week?

Mrs Adele Watters (Department of the Environment): Yes. We have made available a short paper that addresses the issues that were raised on the earlier clauses. We can come back to that. I am happy to start with clause 22.

The Chairperson: Any member who has any interest to declare should do so now.

Mr John McMullan (Department of the Environment): Last week, we considered part 1, which refers to operator licensing, and part 2, which refers to the regulation of taxis. Today, we will move on to part 3, which refers to the regulation of drivers of taxis.

Clause 22 sets out a requirement that only the holder of a taxi-driver's licence may drive a taxi. Contravention of that requirement will be an offence, carrying a maximum fine of £5,000. It will also be an offence, carrying a fine of up to £1,000, for a driver to

drive a taxi if he or she does not hold a licence for that class of taxi. For example, someone may be entitled to drive a non-accessible vehicle, but not a stretch-limousine. Basically, that is the general requirement as set out in clause 22.

Mrs Watters: Do you want to highlight the key issues, and I will respond?

The Chairperson: It worked well last week when members raised any issues that they had with the clauses. Therefore, members can do that again. Does any member have anything that he wants clarified in clause 22, or are members happy to move to the next clause?

Members indicated assent

Mr McMullan: Clause 23 is the main substantive clause in this part of the Bill. It provides that the Department shall grant a licence if satisfied that the applicant has been authorised to drive a car for three years prior to the application; is a fit and proper person; has undergone training; and has passed a test of competence to drive a taxi.

An important point to note on the taxi-driving test is that it will not apply to those who already hold a taxi-drivers' licence immediately prior to the provision's coming into effect. Therefore, it will apply only to drivers who are new to the industry.

The licence will be granted for up to three years; at present, it expires after five years. The licence will be granted for a specific class of taxi; for example, it may enable the holder to drive limousines only. The right of appeal, as it stands at the moment, is to a magistrate's court.

The Chairperson: Does any member have any queries regarding clause 23?

Mr Weir: Is the switch from licences expiring after five years to after three years in order bring that area into line with Department for Transport best practice?

Mrs Watters: Yes, both the Department for Transport and DOE are moving in the same direction on that issue. We were conscious that as drivers' licences lasted for five years, they were not in line with the period allocated for criminal record checks. We thought that it was important to bring those into line. At approximately the same time that we were deliberating on that matter, the Department for Transport issued its guidance to the 350-plus taxi-licensing authorities in England and Wales. That also influenced our decision.

Mr Gallagher: Why do UK criminal record checks not extend to the Republic of Ireland?

The Chairperson: That is relevant to where you live, Tommy.

Mrs Watters: I honestly do not have an answer for that at the moment. I will need to go back to check what occurs now, and whether any changes are proposed in relation to that.

The Chairperson: That is an important query; so you can come back to us on that.

Mr Boylan: One of the main issues regarding the switch from the five-year licences to the three-year licences is costs. That is one problem that was raised during the witness sessions.

Mrs Watters: Two issues were raised regarding costs. The first one was that drivers will have to pay a taxi-driver licence fee every three years. The second one was that people were afraid that they would have to pay for a medical examination every three years, instead of every five years.

Taxi drivers were concerned about those two costs. The Department's current position is that there are no proposals to change the requirement for taxi drivers to undergo a medical examination from every five years to every three years. Therefore, their fears about the level of increased cost are, perhaps, unfounded. The only change will be that taxi drivers will now have to pay a licence fee every three years rather than every five years.

The Chairperson: You make the important point that for people with a lower level of educational skills, the Bill need not be amended to implement training. However, the Department must have given some thought to the fixed provision that will be made for training. Although it is not a critical element of the Bill, the Committee will need clarification in order to be satisfied with that provision's detail.

Mrs Watters: We touched on that subject last week when we discussed the project that GoSkills and the Department for Employment and Learning (DEL) is to undertake. They are working with the Department of the Environment to tailor training to taxi drivers' needs. Everyone who presents for taxi-driver training will be assessed, so GoSkills and DEL want to ensure that they are assessing drivers' essential skills and determining their current level of learning. The first stage of the project will be to raise drivers' essential skills to a level at which they could then undertake taxi-driver training. That is, by and large, the training provision that the Department sees itself creating. If prospective taxi drivers have a skills gap, we will work with them to address that skills gap and raise their skills level.

The Chairperson: If members have nothing further to add on clause 23, we can move on, subject to the requested detail being provided to the Committee.

Mrs Watters: OK.

Mr McMullan: Clause 24 deals with the issuing of drivers' badges. It states that the Department will issue badges and other evidence of identification to each person who has been granted a taxi-driver's licence. The badge must be worn and identification displayed at all times for drivers to be acting in accordance with their licence, unless they are specifically exempt. Drivers of funeral cars or wedding cars, among others, may be considered for exemption. Failure to comply with the wearing of the badge will result in a penalty of up to £1,000.

The Chairperson: No issues were raised, or comments made, about clauses 24 and 25. Are members happy to move on?

Members indicated assent.

Mr McMullan: Clause 26 is important. It gives the Department the power to suspend or revoke any licence under the Bill or to curtail an operator's licence for any reasonable cause. Moreover, an operator's licence can be suspended or revoked if the Department is no longer satisfied that the licence holder is a fit and proper person or if another condition or obligation imposed on the licence holder has not been complied with.

Should an operator's licence be curtailed, the Department can remove one or more vehicles from the licence, or it can reduce the maximum number of taxis or the class of taxis that the operator can use.

The Chairperson: If members have no points to raise, we shall move on.

Members indicated assent.

The Chairperson: No issues were raised, or comments made, about clauses 27, 28 and 29. However, will you run through those clauses briefly, John? If any member wishes to raise anything, that is fair enough.

Mr McMullan: Clause 27 complements clause 26. It outlines the procedure that the Department will follow for suspending or revoking a licence. If the Department decides to suspend, revoke or curtail a licence, it must give notification and grounds for its decision. Suspension, revocation or curtailment will take effect 21 days after notice is served. Why 21 days? That is also the length of the appeal period, during which a licence holder or operator can appeal against a revocation or suspension.

Clause 28 allows an operator to apply to have his licence varied to add a new operating centre or to remove an existing centre, and to vary the number of taxis that he may operate. Owners or drivers may also apply to have their licences varied, and all have a right of appeal to the magistrates' court.

Under clause 29, the Department may also suspend or vary an operator's licence where it is satisfied that

an operating centre no longer meets the necessary requirements. The Department must give the operator notice of such a decision, which would take effect 21 days thereafter; unless, in the interests of public safety, it should take effect immediately.

The Chairperson: Do members wish to seek clarity on those clauses? Is the Committee agreed on the content of clauses 27, 28 and 29?

Members indicated assent.

Mr McMullan: Clause 30 sets out all the various activities and services where the Department feels that it may have to prescribe fees. The fee regulations will eventually come before the Committee.

The Chairperson: Are members happy with clause 30?

Members indicated assent.

The Chairperson: We move on to clauses 31 and 32. No key issues were raised around these clauses. However, John will give us an overview.

Mr McMullan: Clause 31 is a typical clause found in Bills, and it relates to the production of documents. In this case, the documents include licences and certificates of insurance. Any other documents must be produced to an enforcement officer or to the police for inspection, and failure to do so would be an offence and incur a £1,000 fine.

Clause 32 deals with the return of licences. If the Department decides to suspend, revoke or curtail a licence, the licence plate or badge or other evidence of identification must be returned to the Department.

The Chairperson: Do members want any further information? Are we agreed on clauses 31 and 32?

Members indicated assent.

Mr McMullan: Clause 33 deals with the register of licences. It places a duty on the Department to maintain a register containing the details of each licence issued under the Bill. The Department must make that register available for inspection to members of the public free of charge.

The Chairperson: OK.

Mr Boylan: The major issue was the cost of the changes. Will that cost ultimately go to customers? Will there be any incentives?

Mrs Watters: There will be additional costs on operators and drivers, and some of them will be through licence fees and others through compliance costs. For example, if a driver does not have a taximeter and is buying one, it is expected that, ultimately, he will seek to pass any of those additional costs on to customers. If services and standards are being improved then, in a sense, the customer is getting more. However, we do not want operators to be in a position where they can put their fares up without

limit, and that is where the regulated fares come in to play. The Department will set the maximum fares that the operator will be able to charge. We agreed that the Consumer Council will be involved in the setting of fares, and, therefore, consumers' interests will be looked after. We are trying to get a balance. It will cost more to provide better services, and we will have to take account of people's ability to pay.

Mr Weir: I suppose this is the flip side of the coin. We have talked about the various penalties that could be put in place for non-compliance, particularly where people would be acting fraudulently in various ways, and new revenue will come in as a result of that. What happens to the fines that will arise? Do they simply go back into the courts?

Mr McMullan: Yes, they go back to the courts.

Mr Weir: Therefore, there is nothing from the Department of the Environment?

Mrs Watters: No.

Mr Weir: To take Mr Boylan's point, in the case where there are costs, is it correct that additional fines could not be used to offset those costs?

Mr McMullan: That is correct, the fines go back to the courts but the fees are what we use to run the system.

The Chairperson: Are Members in agreement on clause 33?

Members indicated assent

The Chairperson: We move to clauses 34 and 35 for which there were no key issues, or comments made. John, please give the Committee a brief overview.

Mr McMullan: Clause 34 covers appeals to the magistrate's court, and sets out that an appeal to the court must be made within 21 days of receiving notice of the decision, and that the Department must inform the subject of their appeal rights and of the time limit when it gives that notice.

Clause 35 states that the decision of the Department will not take effect until the appeal has been heard, disposed of, or withdrawn. Therefore, the decision is in abeyance until the court hears the appeal. The clause is useful, as we have had certain drivers who cannot work during the time it takes for a case to go to court, which may be six months.

The Chairperson: Are Members in agreement over clauses 34 and 35?

Members indicated assent

The Chairperson: We will move to the clauses that deal with enforcement in part 5 of the Bill, starting with clause 36.

Mrs Watters: The first table is not in relation to clause 36. There were many general comments relating

to enforcement that did not relate to any particular clause, and those have been grouped together. Therefore, the table is not clause-specific but deals with how effective the Department is at enforcement.

The Chairperson: Should we go through those page by page?

The Committee Clerk: That may be a more useful exercise to do after we look at the document as a whole.

The Chairperson: As members wish; I am seeing the information for the first time.

Mr Weir: It has been a long time since members have seen detailed legislation going through the Assembly. With our final position, in addition to having the power to make recommendations for amendments, may we make general comments?

The Committee Clerk: Yes, you may make recommendations and general comments on enforcement.

Mr Weir: I do not wish to be pre-emptive but I assume that the Committee is reasonably concerned about the lack of enforcement, or the lack of resources for enforcement.

The Committee Clerk: Last week, certain general, rather than clause-specific, enforcement issues were discussed. The officials will address those when we come to the end of part 5. They have provided a document that addresses some of those issues.

The Chairperson: As the document will address some of those issues, we may leave the discussion of part 5 of the Bill for now.

Mrs Watters: It may be best to deal with the table later.

The Chairperson: The Committee will now examine clause 36.

Mr McMullan: Clause 36 covers enforcement notices and applies where a licensed operator has failed to comply with certain record-keeping duties covered by the Bill. The idea of the enforcement notice is that the person will be granted up to 21 days to put his books in order, rather than going directly to court. If the person still does not comply, the case will go to court. A person may also appeal to the magistrate's court against an enforcement notice.

The Chairperson: There were no problems with that clause during consultation, and if no one has further comments to make, we will move on.

The Chairperson: Are members agreed on clause 36?

Members indicated assent.

The Chairperson: Clause 37 provides powers of entry to licensed premises. Did that power not exist before?

Mr McMullan: The problem is that, previously, there was no operator licensing. Therefore, there was no provision for legal entry.

The Chairperson: I see.

Mr McMullan: Clause 37 provides that enforcement officers and the police might enter any licensed operating centre to ensure that the provisions of the Bill are complied with. Private dwellings can only be entered under the authority of a warrant.

Enforcement officers and the police can also enter unlicensed premises — again, under a warrant — where there are reasonable grounds for suspecting that a person is operating a taxi service. On exercising the power of entry, the officers may seize and remove any items or equipment that may be required as evidence in court.

The Chairperson: Does anyone have anything further to add?

Mr T Clarke: Someone suggested that an operator's licence should not be given to someone who is operating the business from his or her home. Is the place deemed as licensed premises if the operator's licence is for a private address?

Mr McMullan: Yes.

Mr T Clarke: Therefore, that place will be considered to be licensed premises?

Mr McMullan: Yes, and because it is a private dwelling, a warrant will be needed before anyone can enter.

Mr T Clarke: That is why I ask. What way are such properties dealt with as private dwellings or licensed premises? That seems to be a grey area. The point that I am trying to make is that to the taxi driver on the main street, clause 37 means that the Department has power to enter without a warrant. In the case of someone who deems himself to be operating a taxi business from a house, who has a taxi operator's licence, the Department should not need a warrant. If a person is setting up a business up as licensed premises, there should be no need for a warrant. Running a business from a private house makes it more difficult to enter the premises.

Mr McMullan: Our legal advice is that if the location in question is private premises, a warrant should always be obtained before entering. I take your point.

Mr T Clarke: There is also the difficulty of issuing an operator's licence to a private address.

Mrs Watters: The Department recognises that a number of operators, particularly in rural areas, run their businesses from their homes. If we were to rule that it is inappropriate to have an operating centre in domestic premises, they would either go out of business or they would have to set up some sort of office outside their homes. It would have implications for a lot of small operators.

The Chairperson: Are members agreed on clause 37?

Members indicated assent.

The Chairperson: At this stage, perhaps we can park our proceedings, so that the Committee can welcome back Mr Billy Armstrong. It is great to see you back in good fighting form. You went through a traumatic event.

Mr Armstrong: I do not know about fighting form, but I am back anyway.

The Chairperson: That is good. I am glad to see you in good health again.

Mr Armstrong: Thank you very much.

The Chairperson: There was nothing on clause 38; we had no issues with it. Please give us a run through it in any case, John.

Mr McMullan: Clause 38 provides that enforcement officers and the police may stop and examine any licensed taxi. If they find that the condition of the vehicle is a danger to passengers, the officers may require passengers to leave the vehicle and the driver to make suitable arrangements for the passengers to be taken to their destination.

The Chairperson: Are members happy enough with that?

Members indicated assent.

Mr McMullan: Clauses 39, 40 and 41 are linked; they all have the same purpose. Under clause 39, officers may stop vehicles suspected of illegal taxiing, and may require drivers and passengers to provide information and documents as specified. Once an officer has stopped a vehicle in those circumstances, and he still feels that there are reasonable grounds to suspect illegal taxiing, he has the power to seize and remove the vehicle, as well as any other equipment or items found in it. As members will appreciate, seizure of a vehicle is a severe sanction. It must be tightly controlled, and that control is provided for in clause 41, which sets out conditions for removal of the vehicle, detention of it, release and disposal of it, notifying the owner, payment for release of the vehicle, and, where the vehicle is being disposed of, who gets the proceeds of the sale.

Those three clauses are similar, in that they all combat illegal taxiing.

The Chairperson: Are members content with clauses 39 to 41?

Members indicated assent.

Mr McMullan: Clause 42 deals with taxi touting. The Committee discussed that matter a couple of weeks ago. Clause 42(1) provides that:

“a person who solicits any person to be carried for hire or reward in a taxi is guilty of an offence.”

That is a fairly broad statement, and when creating an offence of that nature, it must be decided whether anyone should be exempted. The Department considers that clause 42(1) should not apply to taxi marshals because the nature of their job involves almost touting for business. We are moving into a discussion about taxi marshals, and I am aware that we have provided a separate paper on that matter, which relates more to clause 20(2)(c) and the enforcement of order at taxi ranks.

Clause 42 makes touting for taxi business an offence, although there is to be an exception.

The Chairperson: The public consultation did not throw up any issues relating to clause 42 or clauses 43 to 47, which deal with offences, obstruction and associated legalities. Will you give us a brief overview of those, John?

Mr McMullan: Those clauses are typical to many Bills. False statements and forgery are regarded as serious matters and will result in a £5,000 fine. Equally, clauses dealing with obstructing an officer or a police officer typically appear in Bills.

Clause 45 is peculiar to the Taxis Bill and serves a useful role. There is a strong interrelationship between owners, operators and drivers. Sometimes, an offence may be committed, which may be the fault of the operator rather than the driver. Clause 45 states that someone else may be liable if an offence is:

“due to the act or default of another person”.

Clause 46 links back to the Interpretation Act (Northern Ireland) 1954 and makes it clear that individuals and companies can also be liable for offences under the Bill. Clause 47 is simply a directional clause.

The Chairperson: Are members content with clauses 40 to 47?

Mr T Clarke: Is the Committee accepting clause 42 at this stage?

The Chairperson: Are we not accepting it?

Mr T Clarke: I thought that we were going talk about taxi touts in more depth.

Mr McMullan: The Department has prepared a separate paper on taxi touts and marshalling, which will be discussed later.

Mr T Clarke: It is a grey area.

The Chairperson: To my mind, touting is, potentially, an offence. How can it be said that marshalling and touting are similar? I am trying to establish a connection: one is supposed to be legal while the other is illegal.

Mrs Watters: John was explaining that clause 42 recognises that some people will be present at taxi ranks in order to legally enforce order and may be soliciting by matching taxis to passengers and that such people will not be guilty of an offence. John was highlighting that there is an overlap in the provision as regards taxi touts and marshals.

The Chairperson: I am getting a bit confused: the marshal would be performing a legal function, whereas touting is an illegal act.

Mrs Watters: Touting would be illegal if it were carried out by anyone other than a marshal who is doing the job in an official capacity.

The Chairperson: However, a marshal may not tout for individual companies.

Mrs Watters: That is correct.

The Chairperson: Therefore, marshalling would become touting when someone performs that role on behalf of an individual company.

Mrs Watters: That is exactly right.

The Chairperson: Therefore, a marshal who is doing his or her job should not be working for an individual company, in the same way that a policeman on the street should not be working on behalf of some of the security companies.

Mrs Watters: The only people who should be inviting passengers to be carried in taxis are marshals who are working under the provisions of the Bill — under taxi marshalling regulations that the Department would develop.

The Chairperson: I have not entirely grasped this matter. Should the marshal be touting?

Mrs Watters: The activity could be described as touting. Matching passengers to taxis becomes a difficulty only when it is being carried out by a person who is not working in an official capacity. Were somebody to carry out that activity on behalf of a particular company, it could well cause disorder at a rank. For example, a driver might object to the person who is telling passengers to get into taxis belonging to another company. The activity is fine if it is being carried out in a controlled and regulated manner. However, it would be illegal for such activity to be carried out in a partial fashion by drivers or companies.

The Chairperson: Forgive me for pursuing this matter, but why is touting being linked with

marshalling when, under the law, marshals should not be touting?

Mr Boylan: It is the terminology.

The Chairperson: I know, but the terminology is critical to our examination of this matter.

Mr T Clarke: It seems that we are going to be accepting that terminology.

Mrs Watters: The term “touting” is commonly used throughout the UK. That is how the activity is being described and understood.

Mr T Clarke: But we are legitimising that activity.

The Chairperson: We are talking about illegal touting.

Mrs Watters: Touting would be legitimised only if it were carried out by a proper official marshal.

Mr T Clarke: However, that marshal could be touting for one particular business.

Mrs Watters: No, that would not be the case.

Mr McMullan: In clause 42, the Department is trying to set a wide net for the offence. The clause states that anyone who solicits someone to be carried for hire in a taxi will be guilty of an offence. In setting such a wide net, consideration must be given to whether too many fish may be caught. The one person that we do not want to be caught in the net is the one who is legally allowed to tell passengers to get into certain taxis, wait their turn, or whatever. We want the taxi marshal to be exempted from that provision.

Mrs Watters: It is not a taxi marshal’s job to provide business to a particular company. His role is to enforce order and get people home as quickly as possible. In carrying out his role, there should be no sense of favouritism for one company or driver over another.

Mr T Clarke: Who will marshal the marshals?

Mrs Watters: They would be marshalled by whoever employs them. I am sure that the Department and the local councils would play a role in that. The marshals would be working under regulations.

The Chairperson: I want clarification on another issue, which caused some confusion when it cropped up before. The marshals’ role is to enforce order, but the marshal has no enforcement powers — he can only call a taxi.

Mrs Watters: The use of the word “enforce” again raises the issue of terminology.

The Chairperson: The marshal’s role would be to facilitate a taxi service. That is about the height of it.

Mrs Watters: They would be there to facilitate, yes.

The Chairperson: They are not there to enforce anything.

Mr McMullan: Whether the use of the word “enforce” may be unfortunate —

The Chairperson: Their role is to facilitate order, but they cannot enforce it because they do not have the legal powers to enforce anything. That certainly seems to be the case, judging from what I have heard.

Mrs Watters: Yes; a marshal would not have the enforcement powers that an authorised officer of the Department or a police officer would have.

Mr T Clarke: We should be considering this matter with the enforcement section because we have all expressed concerns about it. In effect, a marshal would be a toothless tiger. Furthermore, at the moment there are five enforcement officers. How many marshals will there be who will have no real role to play?

Mr Weir: Just to clarify; would the marshals be employed by individual companies?

Mrs Watters: No.

Mr Weir: Who would employ them?

Mrs Watters: In GB, they are employed by local councils or city-centre community-safety group.

Mr Weir: Therefore, town-centre management would employ them.

Mrs Watters: Yes, exactly. It is that sort of role.

The Chairperson: Therefore, they are more like managers of order than enforcers of order?

Mrs Watters: Yes. Perhaps “management” is a better word.

The Chairperson: The Committee has been given a paper by the Department on enforcement, which it has not had time to peruse. Perhaps we could park issues of overlap, marshalling and touting, and, if the paper on enforcement is satisfactory, the Committee could examine those issues in that context.

Mr Clarke is correct. We will park clause 42 and consider it again in the context of further information. Is the Committee content with clauses 40 and 41, and with clauses 43 to 47?

Members indicated assent.

Mr McMullan: Clause 48 deals with access to information. To facilitate the Taxis Bill, a database will be set up containing all licensing information. The Department hopes to provide the police with access to the database, which happens in other road-traffic matters. Providing access to information must be controlled, and that will be done through regulations. People will not be able to undertake a fishing expedition to discover information about people other than for the purposes of prevention, investigation or prosecution of taxi offences.

The Chairperson: Are members content with the clause?

Members indicated assent.

Mr McMullan: Clause 49 states that:

“The Department may, with the approval of the Department of Finance and Personnel, pay such grants to such persons or bodies” in relation to the Act.

The important words are “The Department may”. We are not saying that we shall, or will, do that. The clause simply gives us the power to do so if moneys become available.

The Chairperson: Are members content with clause 49?

Members indicated assent.

Mr McMullan: Clause 50 gives the Department power to make regulations in relation to the training of any person in connection with the Bill.

The Chairperson: Are members content with the clause?

Members indicated assent.

The Chairperson: No comments or issues were raised in relation to clauses 51 to 54, which seem to deal with regulatory matters. Perhaps John will give the Committee a brief overview of them.

Mr McMullan: You are correct, Mr Chairman, these clauses are typical of those that finalise a Bill. Clause 51 links back to the Interpretation Act (Northern Ireland) 1954 and allows notice to be served by ordinary post.

Clause 52 tidies up existing legislation and states that any mention of taxis in previous legislation will not apply when the Taxis Bill comes into force. There is one important point concerning the Belfast Harbour estate. At present, the Department has difficulty with enforcement in that area because the estate’s roads are deemed to be private. Clause 52(3) changes that situation by stating that the roads are to be deemed as being roads to which the public has access. Therefore, our enforcement officers will be able to enforce taxi regulations in the Belfast Harbour estate.

Clause 53 is a typical clause allowing the Department to make Orders and regulations that are incidental, or complementary, to the provisions of the Bill.

Clause 54 also deals with Orders and regulations. There is an important point in that clause, because the question of whether Belfast should be treated differently has been asked more than once by the Committee. Clause 54(3) allows the Department to make regulations that may be limited in their application to a particular area. If, for example, the Committee were to conclude that circumstances in

Belfast were different, the Department could make provision for that by limiting regulations to that area.

Mr Weir: I appreciate what you are saying in that there might be a need for some sort of transitional arrangement. However, if the Department is allowed to make different regulations for different areas, does that not negate much of the core aim of the Bill, which is to have a system that applies everywhere?

Mrs Watters: The idea that Orders and regulations could be limited in their application to a particular area is something that we thought applied across the whole of the Bill. In fact, the provision was written into the Bill before the Department was addressing directly whether a two-tier system could be retained in Belfast. When that issue was raised, we looked at the Bill to examine whether we could provide for it if a strong case were made. However, that was not the reason why that provision is in the Bill. It was included for more general applications; for example, where we may wish to do things slightly differently in some areas.

The Chairperson: There was the issue of shared fares and the concept that you introduced of zoning areas in Belfast in which certain taxis could operate. Does clause 54 make provision for zoning?

Mrs Watters: That is not how we would provide for zoning.

The Chairperson: How would you provide for it?

Mrs Watters: It would be set out under the taxi-sharing scheme, which is a form of regulation. As regards zoning, it would be a case of having areas in which taxi-sharing schemes would apply. Other normal types of taxi services may also apply there. The idea would be, for example, that the centre of Belfast could be divided into north, south, east and west areas. Taxis could go to each of those zones, and the cost would be the same in each zone.

The Chairperson: Are members content with clauses 51 to 54?

Members indicated assent.

Mr McMullan: Clause 55 is the usual clause that appears at the end of a Bill. It sets out the words and phrases that have been used in the legislation and provides definitions for them. Clause 56 allows schedules 2 and 3 of the Bill to come into effect. Clause 57 is the commencement provision, and it allows us to introduce provisions on particular days. Clause 58 relates to the short title of the Bill.

Schedule 1 sets out the offences and penalties in the Bill that will be inserted into the Road Traffic Offenders (Northern Ireland) Order 1996. Schedule 2 covers all the minor and consequential amendments when making legislation, whereby one must consider the knock-on effect for other legislation. Schedule 3

sets out the repeals of existing taxi legislation that will cease to apply when the Bill comes into force.

The Chairperson: Are members content with clauses 55 to 58?

Members indicated assent.

The Chairperson: This is detailed stuff, so it may be helpful if you give us an overview of the schedules, John.

Mr McMullan: Schedule 1 sets out all the offences and penalties in the Bill, and will be inserted into the Road Traffic Offenders (Northern Ireland) Order 1996 for use by practitioners. That is where one will find all offences and penalties relating to road traffic legislation.

The Chairperson: Are members content with schedule 1?

Members indicated assent.

Mr McMullan: Schedule 2 sets out minor and consequential amendments. New legislation always has a knock-on effect on existing legislation. Schedule 2 tidies up legislation in which taxis are mentioned.

Mr T Clarke: Schedule 1 reminds me of our discussion on whether convictions have been spent. It has been said that some convictions are never spent. What is the difference?

Mr McMullan: All convictions come under the Rehabilitation of Offenders (Northern Ireland) Order 1978. Certain convictions will never be spent, such as life sentences or sentences that have lasted more than 30 months. Other convictions will be spent. When we ask taxi drivers whether they have any previous convictions, they are not required to state spent convictions.

Mr T Clarke: Would they be required to state whether they have had a sentence that has lasted more than 30 months?

Mr McMullan: Yes. Schedule 2 set out minor and consequential amendments to other legislation that may contain some reference or relevance to taxis. It tidies up all the other legislation as a result of this legislation coming into effect. Schedule 3 deals with legislation to be repealed.

The Chairperson: Adele, will you please take us through the summary table of responses?

Mrs Watters: Yes. We apologise that the Committee has not had an opportunity to read it. First, I will deal with the Consumer Council's involvement and its suggestion that the Bill should be amended to include its role on a number of matters. As we have set out in the paper, this will have implications for clauses 3, 16 and, potentially, will require a new clause in Part 6.

We met the Consumer Council on Friday and talked through its suggestions. The Department is happy to go along with amendments relating to passenger complaints, fares and passenger information. The Consumer Council, as a statutory body, is in a position to give expert recommendations to the Department on all those issues. The Consumer Council is interested in accessibility standards for vehicles but is not really a statutory body in that regard — many groups would be interested in accessibility standards. The Consumer Council is content to be consulted about those standards in the normal way and that its role should not be specifically outlined in the Bill.

The Department is happy to go along with a proposed amendment at clause 3(9) that will ensure that the Consumer Council will be involved in the complaints procedure that will be set out in regulations. The Department sees merit in a proposed amendment to clause 16 that would require the Department to take the Consumer Council's recommendations into consideration when determining the maximum rate of fares.

The Chairperson: Adele, I apologise for interrupting you. Your paper states:

“to ensure that the Consumer Council is involved in the complaints procedure”

Any of us could, potentially, be involved in the complaints procedure. How would one be involved, and to what extent? I would be surprised that if, during the course of your conversation with the Consumer Council, its role — rather than its involvement — would have been discussed.

Mrs Watters: The Consumer Council's recommendations would be taken into account when the Department is setting out instructions for operators on what they should be doing as regards their complaints procedures. Moreover, we would take into account the Consumer Council's recommendations about who should consider complaints after they have been dealt with by an operator and have not been resolved.

The Chairperson: Forgive me for asking about how individual deliberations or views would be taken into account. I am trying to get a handle on what shape the outworkings might take.

Mrs Watters: The Consumer Council deals with complaints from passengers who use other modes of road transport, and it is anticipated that it will be the official body that will deal with taxi passenger problems. Obviously, that will have a resourcing issue for the Consumer Council, and we are unable to resolve that problem at this stage. The Consumer Council is content to be consulted when we are designing best-practice guidance for operators on handling complaints. We will consider the council's recommendations on who should deal with complaints

if the operator is unable to resolve them — which will be either the Department or the Consumer Council.

Wording in other legislation is often that the Consumer Council's recommendations will be taken into account. The Consumer Council has a consultative role and is content to be described as such.

The Chairperson: Is the Consumer Council happy with that?

Mrs Watters: Yes.

Mr McMullan: The Consumer Council has a lot of experience in dealing with complaints. The Bill might state that the Department will consider recommendations made by the Consumer Council. However, when we would be making regulations, we would consult with the Consumer Council on the best way to deal with individual items such as complaints. For instance, the Consumer Council would have ideas about time limits and how long someone should expect to wait before receiving a response. The Department would build those points into the legislation. Alternatively, as Adele said, the Consumer Council might want to be the complaints body, and if that were the case, it would be set out in subsequent regulations. However, that would depend on the Consumer Council's resources.

Mr T Clarke: If the Consumer Council is to be involved in the setting of fares, then I would be concerned that it would be acting in the interests of consumers and not the industry. There must be fairness for the industry. I would be concerned that the set-up is geared too much to the benefits for consumers.

Mrs Watters: Although the Department will take account of the Consumer Council's recommendations, the council does not have the final call. The Department wants to set fares by developing a taxi cost index that will examine the costs associated with running a taxi business and making a living from it. Significant increases in that cost index — from licence fees or an increase in fuel costs — must be taken into account. It is important that the consumer's voice is heard but does not override everything else.

The Chairperson: We will move on to issues relating to passenger information.

Mrs Watters: The Bill does not mention rights to, or duty and responsibility for, passenger information other than information relating to fares. That is why the Department is recommending the need for a new clause in Part 6 that will enable the Department to make passenger information available to taxi users following the consideration of the recommendations of the Consumer Council. The Department will be seeking advice from legislative counsel on whether that is the best way to proceed. This demonstrates the Department's willingness to give the Consumer

Council a role in guiding it on the best way of producing passenger information and on what the contents should be.

The Chairperson: The Committee agrees with the principle, but what wording do you recommend?

Mr McMullan: The wording will have to be negotiated with legislative counsel. Everyone agrees with the principle, but one must consider how it will fit into the Bill. From an administrative perspective, the measures could be carried out, but it would be useful to have them included in the Bill. The wording will have to be right, and, following discussions with legislative counsel, we will establish where the provision would be best located in the Bill.

The Chairperson: We shall move on to discussion of the two-tier appeals system.

Mr McMullan: During the oral evidence sessions, there was a suggestion that instead of always requiring persons to go to court, the Department should consider the appeal in the first instance. We were not opposed to that, and a two-tier system of appeal is proposed in clause 11 of the Bill.

The Committee wanted to know how that would work in practice. At the moment, that system works in other transport appeals, such as those connected with road freight operators' licences and bus licences, whereby the first appeal is to the Department. The Department sets up an internal review panel comprising three senior officers who have no connection to the decision-making process.

The issues of the case are discussed with the appellant, who is usually accompanied by a legal representative, and the panel makes its recommendations to the Department. In practice, such recommendations are always accepted, and very few cases go to court after having been through the departmental panel process. We feel that that is a template that we could use for taxi appeals. If that principle is accepted, it will have a knock-on effect for those instances in the Bill in which it is stated that there is an appeal to the magistrates' court. We might have to build in provision for an appeal to the Department, followed by an appeal to the magistrates' court, if dissatisfied. That is the way in which we envisage that process working.

The Chairperson: Is the Committee content with that?

Members indicated assent.

We shall move on to clause 16, which deals with the regulation of fares.

Mr McMullan: There were some comments last week to the effect that clause 16 should be tightened up. The Committee discussed maximum and minimum fares, and that discussion became somewhat convoluted.

We examined the instructions that we had provided to counsel, and we asked counsel to provide a clause that would cover the maximum initial rate, subsequent rates and rates based on time and distance. A maximum fare is not just one rate; it is a combination of tariffs. At the time of drafting, counsel were content that they had provided tight wording. However, because we were already going back to legislative counsel with other amendments, we decided to run the clause past them again, just to be sure that the provision was open-ended.

The Chairperson: OK. As there are no questions on that matter, we shall return to the matter of taxi marshals. I will get my head around this yet. *[Laughter.]*

Mr McMullan: I was hoping that Adele would deal with this subject. *[Laughter.]*

Mrs Watters: I can make a start on it.

The Chairperson: It is a Mexican stand-off, marshals included.

Mr McMullan: As Mr Boylan has said, the starting point is the terminology. Clause 20(2)(c) gives the Department regulation-making powers in respect of:

"enforcing order at and regulating the use of places referred to in paragraph (a);".

In this case, "places" means ranks.

There is a distinction to be made, and the phrase "enforcing order" may cause confusion. The taxi marshal will not be given any enforcement powers under this Bill. As members can imagine, the enforcement officer must have detailed knowledge of all the licensing provisions in the Bill. He or she also needs technical knowledge of vehicles in relation to matters such as roadworthiness. The marshal does not have an enforcement role under the Bill. That role is more about managing or facilitating. We do not envisage the marshal having any role other than trying to get people into taxis at busy times of the day.

The Chairperson: Are you going to drop the phrase "enforcing order" from that paragraph?

Mrs Watters: The wording of that paragraph is intended to provide for the setting up of marshalling schemes. However, it also gives the Department other powers in respect of enforcing order at ranks, including, for example, the conduct of drivers at ranks; it is not simply concerned with marshals.

The Chairperson: Our discussion is dealing specifically with marshals.

Mrs Watters: OK.

The Chairperson: We are dealing specifically with taxi marshals in respect of clause 20(2)(c). It appears to me that the term "enforcing order", in the context of

a taxi marshal, is not applicable. Their role will be to manage order, perhaps, but they will not be empowered to enforce. The term “enforcing order” is misleading.

Mrs Watters: In respect of the marshals?

The Chairperson: Yes.

Mrs Watters: Are you suggesting that there should be a separate power for managing order?

The Chairperson: I do not think that that needs to be clarified that distinctly.

Mrs Watters: The marshal’s role would be a management role, rather than an enforcement role.

Mr T Clarke: We need to make it clear what their duties are.

The Chairperson: That would not be a primary legislative matter.

Mrs Watters: The marshals’ duties would be set out in regulations.

The Chairperson: Is the Committee content with that?

Mr Boylan: I think so. We must be very careful about whether or not the taxi marshals have powers. They would require a limited power to put people off the street, but they cannot enforce anything.

Mr T Clarke: The notes before us state that the marshals’ enforcement role is “limited”, which indicates that they do have some enforcement role.

The Chairperson: We are returning to the question of what their role entails.

Mrs Watters: It is really a management role.

Mr T Clarke: However, the briefing notes state that the enforcement role is limited. The word “enforcement” should not even be mentioned.

The Chairperson: Have accepted that point, Adele?

Mrs Watters: Yes. We understand why the wording is causing some difficulty.

The Chairperson: OK. We shall move to clause 21.

Mr McMullan: The provisions of clause 21 would have come forward, regardless of the Taxi Bill. First, it clears up an anomaly that currently exists, namely that DRD has policy responsibility for where taxi ranks should be sited, but legislative responsibility rests with DOE. We are placing the legislative and policy role with DRD. The result of that will be that DRD has control of the new traffic attendants. Through the Taxis Bill, we were considering whether traffic attendants could have a role, because they are already on the streets. However, that role would not include power over the licensing requirements that are laid out in the Bill, but they could handle parking infringements on the ranks

or at a distance from the ranks, or any general parking offences by taxis. That would be very useful.

The Chairperson: Are members content with that?

Members indicated assent.

The charging of separate fares is covered by clauses 5 to 11 of the Bill.

Mrs Watters: The Committee asked for clarification on the concept of charging separate fares for taxi journeys, and how the proposals in the Bill to regulate the charging of separate fares will be enforced. There were concerns about how that would be policed.

Clauses 5 to 11 of the Bill provide for taxi sharing at separate fares in three circumstances. The first circumstance is when a taxibus is in operation, whereby a taxi operates in the same way as a bus, picking up and setting down passengers at stops along a route, and to a timetable. The second circumstance is the taxi-sharing scheme that is being set up by the Department. The third circumstance is when an advance booking has been made whereby all the passengers have agreed to share the taxi.

In particular, the Committee wanted to know how the Department could police situations other than those specified in the Bill whereby a number of different people want to travel in the same general direction by taxi, and pay separate fares. One basic premise of the Taxis Bill is that when someone hires a taxi, they have the right to the exclusive use of that taxi, which means that they cannot be expected to share it unless they wish to. Another fundamental principle of the legislation is that all fares should be regulated and charged according to what is shown on the taximeter. There are certainly circumstances when it is in the interests of both taxi users and drivers for passengers to agree to share a taxi and pay their own fares.

However, the Bill aims for — and the Department wants to see — the regulation of such situations. Otherwise, taxi drivers may not give any discount — and certainly not the full discount — to passengers, who will then complain to the Department about being ripped off. In all three of the circumstances provided for in the Bill for sharing — the taxibus, the taxi-sharing scheme, and advance booking — every passenger has agreed, explicitly or implicitly, to share. In return, they should have a right to a cheaper fare.

In taxibuses, passengers will pay a flat fare. In a taxi-sharing scheme or an advance booking arrangement, the Department will insist that the driver gives each passenger a discount on what the metered fare would have been, had they had hired the taxi without sharing. That amount would be regulated by the Department and would depend on how many people share the taxi. We have provided the Committee

with an example of a shared-fare table, which I will return to.

Taxi drivers will also benefit from that arrangement, because the total fares that they receive from the passengers will be, not to play on words, a fair bit more than if they had only one passenger. In that scenario, everyone wins — not just the driver. How can that be policed? That is largely down to the passengers and whether they know their rights — that they have a right to exclusive use of the taxi, and that the meter should always be on, unless separate provision has been made.

If all the passengers agree to pay a separate fare that is more than that for which the Department has regulated, they can accept that. However, if someone feels aggrieved at having been forced to share and pay more than the regulated fare, they can complain to the operator, the Department, or the Consumer Council, and that complaint will be investigated. If shared-fare arrangements are not controlled, the principle of having regulated fares in the first place is completely undermined.

The Chairperson: You said that, in all three of the circumstances provided for in the Bill, each passenger will have agreed either explicitly or implicitly to share the taxi. What do you mean by agreeing implicitly?

Mrs Watters: When using a taxibus, no one asks the passengers whether they have agreed to share, but everyone knows the deal is that there will be a number of people in the taxi, and each passenger will pay their own bit. However, no one actually states that.

The Chairperson: That is an interesting concept.

Mr T Clarke: I made my opposition clear last week. I have no problems with taxibuses or the designated scheme, but if taxi drivers pick up two fares, with two different drops-offs, when they are on way from Belfast, the driver will lose out. My reason for asking about the Consumer Council earlier was because of the Department's response to the Committee's discussion on the charging of separate fares:

"It is the Department's strong view — and one which is shared by the Consumer Council — that allowing taxis to pick-up passengers going in a general direction" —

The best interests of the consumer are then referred to. Again, the taxi driver is not mentioned — it is always the consumer.

The Chairperson: I can understand why that is so, in those circumstances. If taxi drivers have one or two extra passengers going the same direction for the same 10 miles, they will get extra money.

Mr T Clarke: I look at it from a different perspective. If I were a taxi driver who was not getting any extra money to pick up a double fare, I would leave the last fare standing for my mate to collect

them, so that he would have more work. This issue has to be examined from a taxi driver's point of view.

What incentive is there for the taxi driver to pick up the two fares? If there is a double fare that he can pick up from Belfast to go in a general direction, with two different drop-offs, surely it is better to leave the second fare for someone else to pick up.

Mrs Watters: That fare would not then be part of that driver's income. If the taxi driver takes the two fares, he gets more money than if he had picked up one.

Mr T Clarke: If the taxi driver leaves the second fare for his colleague Mr X, then Mr X will leave a fare for him the next day.

Mr Weir: If you scratch my back, I will scratch yours.

Mrs Watters: That fare will be long gone by the time the other driver comes for them.

Mr Weir: The drivers may not be too bothered about an individual fare, but if, for example, I let Trevor pick up the next fare on a Thursday night, perhaps he will return the favour a couple of nights later.

Mr T Clarke: To take it a step further, if a passenger is not willing to share a taxi, the person asked to pay the fare twice was going to have to pay the fare anyway to take the taxi on their own. How is the consumer losing out?

Mrs Watters: They are losing out because they have to share. When a passenger gets a taxi on their own they are paying for a different experience than when they have to share with several other people. That is a different proposition.

Mr Ford: The Department appears to be addressing some of the concerns that I expressed last week. However, I cannot make head nor tail of the table of sample fares that has been submitted.

Mrs Watters: That table is wrong.

Mr Ford: More fundamental is the matter of people's sharing taxis. If I remember correctly, in the example that Trevor Clarke and I discussed last week, we assumed that, of two people sharing a taxi, one person was going to Ballyclare and the other to Glengormley. You have not addressed the issues that would arise from that scenario.

Mrs Watters: The driver would still make more money from that deal, even if he did not take every passenger the full distance.

Mr Armstrong: That is not 100% true, because the driver must stop and, if he stops, it costs more.

Mrs Watters: OK.

Mr Ford: If you try to drive through Glengormley these days, you will get stuck anyway.

Mrs Watters: The reason that we submitted the sample fare table was to illustrate that the more passengers there are in a taxi, the less that they pay individually, although, ultimately, the driver is paid more, depending on the number of people that he carries. That fairly extensive table is based on figures that were provided by the Public Carriage Office in London. The idea is that the Department or the licensing authority will be seen to be regulating the levels of discounts. Based on the number of people in the taxi, each passenger should be capable of examining the meter and calculating his or her discount.

Mr T Clarke: In the example of the metered fare of £1.80, I would prefer to be the fifth passenger because I would pay less than everyone else.

Mrs Watters: The discount depends on the number of people who are sharing; it does not apply progressively to passenger 2, passenger 3, passenger 4, etc.

The Chairperson: Perhaps we should scrub that table.

Mrs Watters: I am afraid that the table seems to complicate the issue.

The Chairperson: Can you clarify that it is not an accurate guide, and that the statistics might be misleading?

Mrs Watters: I agree that the statistics might be misleading.

Mr T Clarke: Was the table drawn up to convince us?

Mrs Watters: To confuse you. *[Laughter.]*

Mr Gallagher: You would not go to Glengormley in the cars that are included in the table.

Mrs Watters: The figures are purely indicative.

The Chairperson: For clarity: as a result of these proposals, will more people share taxis?

Mrs Watters: Yes. We will certainly make provision for, facilitate and regulate taxi sharing, which should mean that passengers will be happier with that concept, and that it will become more popular. Currently, enforced taxi sharing is sometimes very unpopular.

Mr Ford: Can we assume that the penultimate paragraph of your submission refers to something other than the three scenarios of taxi sharing that you originally outlined in your presentation on the proposed Bill? That appears to be the case. In the third sharing scenario, people agree to share a taxi in advance; however, “in advance” may mean only 30 seconds before stepping into the taxi.

Mrs Watters: The key phrase in the final paragraph is: “with the driver charging fares at his discretion.”

We would not be happy for drivers to make things up as they go along. The Department and the Consumer Council are supportive of regulated and controlled shared-fare arrangements.

Mr Ford: No one sitting around this table is in favour of drivers making up fares. That is one thing that we are trying to get away from.

The penultimate paragraph of your paper creates a fourth sharing scenario — or adapts the third scenario — whereby the agreement to share occurs, literally, as people step into the taxi.

Mr McMullan: That is outside the terms of the proposed Bill.

Mr Ford: In order to get it right, should that scenario not be provided for in the Bill? I agree with Trevor Clarke, and I suspect that, for most of the week, such circumstances will be rare. However, I am considering the problems that might arise on Friday and Saturday nights, when the system will be attempting to deal as quickly as possible with large numbers of people who are on the streets. Taxi marshals could probably lend a hand in that.

Mr T Clarke: I suggest that it is stated in the Bill that David Ford and Trevor Clarke agreed. That would be positive. *[Laughter.]*

The Chairperson: I do not think that we can legislate for that.

Mr Boylan: There are two arguments: Trevor Clarke is arguing for the taxi operator, but there is also an argument to be made on behalf of the consumer. Taxi sharing is about consumer choice. If the consumer wants to use the sharing system, that is fair enough. The only fear, as Trevor Clarke has said, is that there may be a reduction in the number of taxis that are required because there may be fewer taxis picking up single passengers. Surely to God, though, taxi sharing provides consumer choice, and that is why it should be introduced. Customers could decide whether they wish to share or not, but I take Trevor Clarke’s point.

Mr T Clarke: When a taxi leaves Belfast, for example, the passengers would know that they are sharing it, and if they do not wish to share, they should not get in the taxi. That is their choice.

The Chairperson: That is Mr Boylan’s point.

Mr Boylan: Yes, it is up to the customer whether to share or to hire a taxi on their own. I take Trevor Clarke’s point that two people might take the same car, and the taxi driver may charge them individually.

The Chairperson: What could be done about that?

Mr Boylan: That is understandable, but it is up to the consumer whether to get into a shared taxi or not.

The Chairperson: Does the Committee agree on this element of the Bill — the concept of taxi sharing?

Mr T Clarke: Could you summarise what we are agreeing to?

Mrs Watters: The Department does not propose to make any changes to the provisions of the Bill on shared fares.

Mr T Clarke: I cannot agree to that.

The Chairperson: For complete clarity, Trevor, what is your reason for not agreeing to the provisions of the Bill on shared fares?

Mr T Clarke: My reason is that that system would work for the consumer, but not for the industry. The taxi industry clears the streets of Belfast, but the Bill proposes to penalise taxi drivers for picking up two fares in one go, which would be deemed illegal.

The Chairperson: A balance must be struck between the interests of the consumer, and those of the industry. If a taxi travels in one direction on one journey and charges duplicate fares to more than one person, what is wrong with the concept of taxi sharing and allowing people to travel in that taxi at reduced rates?

Mr T Clarke: The Committee was told last week that a taxi-sharing scheme would only work with designated stops.

The Chairperson: People could choose places inside designated zones. Taxi drivers could choose to operate in those areas.

Mr T Clarke: When two passengers are travelling in the same direction from Belfast to Antrim, the journey is straight down the M2. However, if a passenger travelling from Belfast to Antrim were to share a taxi with a passenger travelling to Glengormley, the taxi would have to go off the M2. That would not result in the same fare as the journey from Belfast to Antrim.

The Chairperson: I am not entirely sure about your main concern — could you run through that again?

Mr T Clarke: All the representatives from the taxi industry have told the Committee that there are not enough taxis in Belfast on a Friday or Saturday night. A taxi driver with a queue at his rank outside a busy nightclub in Belfast on a Saturday night currently has a possibility of picking up two separate fares. Under a taxi-sharing scheme, two different passengers would realise that they were sharing a taxi, and were going to two different places, but the taxi driver would not be allowed to charge the fare twice. However, if those two customers had had to wait for an individual taxi, they would have had to have paid that fare anyway. The consumer does not lose out under the existing arrangements.

The Chairperson: The consumer would not lose out under the shared-taxi scheme.

Mr T Clarke: The shared-taxi scheme would not work everywhere.

The Chairperson: Correct me if I am wrong, but the shared taxi scheme would provide choice for the consumer, and for the taxi driver, in specific areas. The legislation provides for that further down the line.

Mrs Watters: That is right.

The Chairperson: Mrs Watters outlined that there would be pilot projects in various areas — to dip the toe into the water and see how that might work. There is no obligation whatsoever on either party, consumer or taxi driver, to use that scheme. They can if they wish; and if they do not, drivers can move 100 yards down the street to another nightclub, pick up people there and ferry them, backwards and forwards, in single journeys.

Mr T Clarke: Mr Chairman, you have alluded to the issue. We are discussing a taxi-sharing scheme that does not yet exist; and about a system that already operates in Belfast, whereby people are sharing taxis. We are going to make illegal something that is practised already and replace it with something that is not yet in place. We are discussing the piloting of a taxi-sharing scheme, but there is a practice taking place at the moment, which we recognise, and we are going to make that illegal, as opposed to legalising it.

The Chairperson: That is a matter of choice for both the taxi driver and the consumer. They can either operate in a particular area or choose to move 20, 30 or 40 yards down the street and operate from a different location.

Mr T Clarke: We are making illegal the situation where a double fare is picked up by one taxi.

Mrs Watters: At the moment, within Belfast, the taxi driver should be charging the regulated fare. That is all that should be charged: once, not twice. In Belfast, where fares are regulated, there is an element of practice that is already illegal.

The Chairperson: So a double fare should not be charged anyway?

Mrs Watters: That is correct.

The Chairperson: Does that allay your concerns on that issue, Trevor?

Mr T Clarke: No.

Mr Ford: This has further confused me too, Chairman. I thought that we were reaching the point of regularising something that we saw as useful at the busy times of the week. However, having just been told that the Department does not propose to make any changes, I was on the point of asking what its

legislative draftsmen would suggest to further define clause 7(a):

“all the passengers carried on the occasion in question booked their journeys in advance”.

The logical meaning of “in advance” is not that bookings are put together by the taxi marshal in the interest of good order on the streets. However, that is what we have discussed as ideal: that we deal with the crowds by encouraging people to double book.

Mrs Watters has accepted that the sample fare table does not work; therefore, we need to know how such a scheme would work when people are not all getting out at the same place. It is fine to state how we would regulate the fares, and what proportion people would pay if everyone is making the same journey. However, in the circumstances that we have discussed — weekends in Belfast — that will not be the case. People will be travelling to a number of different, relatively nearby locations, but we need to work out how the fare structure will work.

The Chairperson: Owing to the confusion on this matter, could we be provided with a sample fare table that will show how the scheme will work in practice? Could you address the point that David has just made about a taxi driver who picks up from different locations, and drops off at different locations.

Mr Ford: On a journey from Glengormley to Ballyclare, for example.

Mr T Clarke: That was what I was trying to say, but David put it much better.

Mr Ford: I hope that Hansard has noted that.
[Laughter.]

The Chairperson: For use in an election: “endorsed by Mr Trevor Clarke”.

So, with that proviso, we shall move on to discuss the paper on enforcement. I ask members to turn to the second page of that document — the first is just a preamble about role and function.

Mrs Watters: Mr McMullan and I are not necessarily in a position to speak about that paper in detail. We are not the taxi enforcement team.

However, I could refer members to the summary table of responses, in which various comments on enforcement that not specific to clauses are brought together. That is where we set out the Department’s overall response on enforcement matters. That begins at page 139 of the summary table of responses.

The Chairperson: Are you referring to the synopsis?

Mrs Watters: On the summary document; yes.

The Chairperson: We have seen some of that information during a previous presentation. The

Committee will suspend for five minutes to allow members to look through that information and ascertain whether it includes anything of relevance to the issues that we raised. I do not expect Mrs Watters to answer our questions; the taxi enforcement team can do that the next time we see them.

The Committee suspended.

On resuming —

The Chairperson: The paper before us informs some of the background to the Taxis Bill, but I am not sure that it adds anything. What are other members’ views? Does the paper add anything to the enforcement issues that we are discussing today?

We will go back to part 5 of the Bill, which deals with enforcement. The Department’s summary of responses states that:

“The Department has provided a detailed briefing to the Committee on both its current taxi enforcement activity and successful CSR bid to increase the number of enforcement officers from five to 18.”

Mrs Watters: That was written on the assumption that the Committee might have had an opportunity to consider it in more detail.

The Chairperson: Do members have any issues with the paper? The Committee should be in agreement that, in the eventual production of a report, it might include the caveat that the Bill would, by and large, be worthless unless sufficient resources were made available to enforce its provisions. Do we have general agreement and consensus on that?

Mr Weir: We should refer to the fact that there is a bid in to increase the number of enforcement officers, and that we regard that as being vital.

The Chairperson: Yes. Having dealt with all those issues, is there anything further that needs to be considered today?

The Committee Clerk: Perhaps it would be useful if I were to state the outstanding issues, so that members can be clear about what is left to do, and also to see whether there is anything that the officials feel that they could address. Would that benefit members or should we wait until our last meeting on 8 November?

Mrs Watters: The Committee had proposed to consider the Department’s amendments. Do we still intend to look through those to see whether the Committee is agreeable with them? We went through them during a previous session, but I do not know whether the Committee reached a consensus on them.

The Chairperson: There were issues around some of them, from what I can recall.

Mr McMullan: The main issue was the taxi marshals, which we have rehearsed again today.

The Chairperson: Many of the issues about taxi marshals were quite technical. I can remember that taxi marshals were discussed — it would be hard to forget. I do not recall any other outstanding issues. However, that is not to say that there were no peripheral or marginal issues that may have been important at the time. We can double check the Hansard report of that meeting and, if necessary, revisit those issues.

Mr T Clarke: How many taxis are there in Northern Ireland?

Mrs Watters: There are approximately 11,000.

Mr T Clarke: There has been a bid for 18 enforcement officers. The constant cry is that there are not enough enforcement officers. Part of the new legislation will require all taxis to have meters. With 11,000 metered taxis, how will the systems be implemented to ensure that that aspect is policed, and that the meters are not tampered with?

Five enforcement officers have not been sufficient to monitor the industry without taximeters. As 11,000 cars will now have to have taximeters, I imagine that the point of the bid to get the number of enforcement officers up to 18 is to enable them to carry out roadside duties.

Mrs Watters: The issue regarding meters is about getting them tested, calibrated and sealed. After that is done, any time a vehicle is stopped, the enforcement officer — if he or she is doing a thorough inspection — will check that the seal is still there. However, the actual meters would not cause the enforcement officers a great deal of extra work.

As it will be easier for people to prove when they have been overcharged, the installation of taximeters might cause the Department additional work in dealing with complaints, but that would not have direct implications for the enforcement officers.

Mr T Clarke: Overcharging will only be an issue if the taximeters are incorrect.

Mr Gallagher: I agree. Enforcement is important in carrying out checks.

Mrs Watters: The first thing that the enforcement officer would notice is whether the seal has been broken. If a difficulty is established, there may be an investigation and enforcement action. However, hopefully, enforcement officers will be able to establish — from quick visual checks — that in the vast majority of cases, there is nothing wrong with the meters — they have been properly set as tested by the Department.

Mr Gallagher: That is going to require 13 enforcement officers, but there will not be 13 for some time yet. It will take a long time to check half of the 11,000 taxis that are currently licensed. I know that the

number of licences being issued has increased. Therefore, there may well be more than 11,000 taxis.

Mrs Watters: The number of taxis has been increasing.

Mr McMullan: Taxis also have to have an annual PSV test, which will include a check to determine whether meters have been installed.

Mr T Clarke: Will that be part of the PSV test?

Mrs Watters: The people conducting the PSV test will be able to check that taximeters have been installed.

The Chairperson: Thank you for that. Patricia, will you outline the next stage of the process for members?

The Committee Clerk: Last week, the Committee and the departmental officials considered clauses 1 to 21, and about seven broad issues were raised. The departmental officials have returned with a written response on those issues, which members have considered today. Although it has not been stated for definite that all the issues have been agreed to, it appears that there is consensus on the majority of them, but some issues have again been raised.

The next phase of the process, which will be worked through on 8 November 2007, is the formal clause-by-clause analysis and agreement of those clauses. The culmination of the Committee's deliberations on the clauses will happen on that day.

The Committee and the departmental officials have today also considered clauses 22 to 58 and schedules 1, 2 and 3, and a number of issues have been raised regarding those. Therefore, the departmental officials will address those issues on 8 November, and again, the Committee will have to form some sort of view prior to the clause-by-clause analysis.

Over the past number of weeks, the Committee asked for specific briefing on three areas: enforcement, which has been considered today; disability, which is an issue that Adele will address when I have finished; and, finally, funeral cars and whether they should be subject to exemptions.

Those are the key matters that have not been covered. I anticipate that, on 8 November, a lot of the clause-by-clause analysis will be worked through relatively quickly. At that stage, the Department may have a better idea about the actual wording of some of the amendments. However, I understand from the Bill Clerk that it is not absolutely essential to know the exact wording of those amendments by 8 November; the requirement is that the amendments are agreed in principle.

The other matters that the Committee will have to consider, and obtain broad agreement on, are the departmental amendments. The Committee must

also agree final recommendations on issues such as enforcement and agree the broad wording of the clauses. Then, on 8 November, Sean McCann and I can start to work on the draft Taxis Bill, based on the Committee's deliberations. That will keep the Committee on time to agree the report by 7 December and to publish it by 16 December.

The Chairperson: Do members wish to seek further clarification from the Department or the Committee Clerk on any matters?

The Committee Clerk: Perhaps the officials could address the issues around disability and funeral cars, and let the Committee know when they will be able to deliver briefings on those matters?

Mrs Watters: The Department has undertaken investigations on the refusal of service to people with disabilities, and its reply is in the system and should be with the Committee shortly. We had hoped to be able to provide the Committee with a fuller written reply on funeral cars after meeting representatives from the National Association of Funeral Directors. They chose a date for that meeting, but it will not be until 15 November. Therefore, the Department will go ahead with a response, based on its current position, to clarify the points that the Committee raised.

The Chairperson: Thank you for that, Adele and John, and for giving the Committee your time. No doubt we will see you both again.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR FINANCE AND PERSONNEL

Wednesday 24 October 2007

DORMANT BANK AND BUILDING SOCIETY ACCOUNTS BILL: LEGISLATIVE CONSENT/SEWELL MOTION

Members present for all or part of the proceedings:

Mr Mitchel McLaughlin (Chairperson)
Mr Roy Beggs
Dr Stephen Farry
Mr Simon Hamilton
Ms Jennifer McCann
Mr Adrian McQuillan
Mr Peter Weir

Witnesses:

Mr Neil Lambe	}	Department of Finance and Personnel
Mrs Agnes Lennon		
Mr Richard Pengelly		

The Chairperson (Mr McLaughlin): You are most welcome. Today's witnesses are Richard Pengelly, the head of the central expenditure division, his colleague Agnes Lennon, and Neil Lambe from the Departmental Solicitor's Office. As the Committee has a heavy agenda today, perhaps you would keep your evidence to half an hour, if possible.

Mr Richard Pengelly (Department of Finance and Personnel): In view of the time pressures, we have circulated a background paper. Therefore, rather than go through that, perhaps we could move straight to members' questions. The high-level issue concerns seeking a legislative consent motion to allow Westminster to legislate on dormant accounts. I hope that the fairly short background paper covers the relevant points. Unless members particularly want me to go through the paper, we are happy to take questions.

Mr Weir: I have some reservations about the legislation. I want clarification on how Northern Ireland would be included and what procedures would

be involved. The process is such that whatever money is raised would be divided throughout the UK on a pro rata basis. Presumably, if the Assembly does not consent to the legislation, Northern Ireland would be excluded from receiving money, which would, consequently, be divided among the other parts of the UK. What is the exact position?

Mr Pengelly: We are not absolutely clear on that. We have had informal discussions with the Treasury, whose view ranges between either no money coming to Northern Ireland or, because it is a reserved matter, the Treasury would decide on distribution priorities and the programmes on which the money should be spent. The Treasury has not given serious thought to the matter. The crucial point is that, should they not consent to the legislation, the Executive would lose the ability to influence how the money is spent in Northern Ireland.

Mr Weir: That is a crucial issue. Despite my concerns, we should not necessarily cut off our nose to spite our face. My fundamental problem is with legislation that enables the Treasury to snaffle money that belongs to citizens, simply because it has been sitting in a bank account that has not been used for a certain period. To be honest, that is not far from being theft. By the same token, if the Chancellor is keen to be a modern-day Robin Hood —

Mr Hamilton: However, he may not give to the poor.

Mr Weir: Yes, he may not give the money to the poor.

Mr Hamilton: Nor would he be robbing from the rich.

Mr Weir: I am not sure that Northern Ireland should be deprived of the spoils of such theft.

Mr Pengelly: In advance of any distribution of the money, an extensive repatriation exercise will have taken place, whereby the banks and building societies will go through the accounts that have had no customer-initiated activity for 15 years. That will reduce the number of accounts to be included. Furthermore, any individual who comes forward will get their money back in full. There will be no question that the money will have been spent and that individuals will lose their money — that is guaranteed.

Mr Weir: I presume that they will not lose any interest on their money.

Mr Pengelly: My understanding is that money in dormant accounts does not attract interest. After 15 years, the banks move the money into dormant accounts that attract negligible, if any, interest.

Mr Weir: Therefore, is the idea to steal people's money and hope that they do not return to claim it at a later stage?

Mr Pengelly: I describe it as borrowing their money.

The Chairperson: I neglected to point out that Hansard is recording the session. Are there any other questions?

Mr Hamilton: I share Peter's views. I am deeply uneasy about the Bill's underlying principle. I do not care whether the account has been idle for 15 years or 50 years. I am not happy that money that is registered and belongs to an individual will be taken and distributed, in whatever fashion. I want clarification on the role of the Big Lottery Fund. The Department's paper refers to ethical concerns: for example, certain churches will not apply to that fund. Although I am uneasy, I take Peter's point that if the legislation is going to be passed, Northern Ireland should at least get its fair share.

I would be happier if the money were to go to the Executive to distribute to programmes and socio-economic schemes throughout Government, or to various nominated charities. What is the role of the Big Lottery Fund in Northern Ireland?

Mr Pengelly: During consultation with the Treasury on the significant unease that many in Northern Ireland feel about the Big Lottery Fund, the Minister of Finance and Personnel registered the points that you have raised. The Treasury's view was that the fund has established an efficient distribution mechanism, but it acknowledged the point about the links to gambling.

The current situation is that all money from the dormant accounts will go into a separate fund and will not be pooled with any of the normal lottery funding. That fund's branding will be separate and distinct from the Big Lottery Fund logo. In the new year, as part of the consultation process, the Department wants to carry out further work, specifically with the lottery, to ensure that its logo does not appear on any branding of that separate fund. Should branding be required, it will be based on unclaimed assets — not the lottery.

Mr Hamilton: That is vitally important. It is one thing to take money from the public even if they have forgotten about it, but then to have sections of society claiming that back for worthy schemes through a mechanism for distribution that is essentially the Big Lottery Fund —

Mr Pengelly: It will not be branded, and the money will be separate. If someone receives a cheque, not one penny of that cheque will have come from lottery proceeds.

Mr Beggs: I share the grave concern about the Government raiding personal dormant accounts. It is essential that individuals would have a right, should they become aware of it subsequently, to claim the money back. If they did become aware of the money, how would it be claimed back, and where would the money come from? Would it be from the Government?

Mr Pengelly: When the money is passed across from the banks after the repatriation exercise and the account has been identified as dormant, the money will be passed across to a reclaim fund. The fund will work on a risk basis and decide, for example, that if an account has been inactive for 20 years there would be a 20% risk of somebody coming back and claiming that. It will withhold 20% of the funds from accounts of that age. While that individual would still be entitled to 100% of his or her account, in the round, between the 20% that is taken off all such accounts, the funding that is held will be sufficient to honour any claims. In addition, funds held as security will be invested, and all the proceeds of the investment will come back into the reclaim fund.

Mr Beggs: There is a counter-argument. I take it that it is the banks that are benefiting from the money at present.

Mr Pengelly: At the moment the money is sitting with the banks.

Mr Beggs: The banks are benefiting, and that is not in the public interest. To pursue the Big Lottery Fund issue, in your briefing paper you say that the smaller banks and building societies could distribute to charities. However, you also say that the assets could be distributed by the Big Lottery Fund. Is there a conflict between those two statements?

Mr Pengelly: The small banks and building societies, defined as those with assets less than £7 billion, can identify the dormant accounts, but rather than pass those proceeds across through the normal distribution mechanism, they can pass the proceeds directly to charity projects. There is an acceptance that banks and building societies defined as small are particular to a specific geographical area.

Mr McLaughlin: They have assets of £7 billion and they are defined as small?

Mr Pengelly: I would not get out of bed for that myself. *[Laughter.]*

The theory is that the smaller banks and building societies are geographically based. Therefore, rather than passing the money into a big pot, which is distributed on a population basis across the UK, they can focus the money specifically in their geographical location.

Mr Beggs: I did not pick up all that was said earlier about the Big Lottery Fund.

Mr McLaughlin: Am I right in saying that it is not account location that determines distribution; it would be on a population basis?

Mr Pengelly: On a UK basis, it goes into the fund, and the amounts are apportioned.

Mrs Agnes Lennon (Department of Finance and Personnel): The small building societies or banks would have the option of paying the money to charities, in places where they have local branches, or to ones with which they have a special connection.

Mr McLaughlin: Is there an overriding distinction between where the original dormant accounts were located and where the assets are distributed in determining distribution, or is that disregarded and the assets distributed among the wider population?

Mr Pengelly: Dormant accounts in, for example, the Northern Bank, which is certainly not a small bank, would go into the UK fund, and the totality of the UK fund would be distributed on a population basis.

Mr Neil Lambe (Department of Finance and Personnel): The population-share aspect does not apply to the alternative scheme for the smaller banks and building societies. For example, the Leeds Building Society would identify dormant accounts in its branches across the UK, and then it would distribute a proportion of the dormant account money to the communities local to the branch network. There is no strict population share-out of the dormant account money identified in that scheme for the smaller banks and building societies.

Mr Weir: I can see that happening with the smaller banks. It seems that an initial assessment will be carried out. How would that affect, in particular, the smaller banks on an ongoing basis? Is the idea to carry out a yearly review of dormant accounts? Will the fund be set up and then be monitored throughout the year? The Act will apply to accounts that have been dormant for 15 years. When the initial trawl is completed, there will be some accounts that have been dormant for 13 or 14 years. What is the procedure for those accounts that will fall into the 15-year category in a year or two?

Mr Pengelly: There will be a review annually. At the starting point, the Act will apply to accounts that have been dormant for 15 years or more. The following year, accounts that were 14 years dormant at the time of the initial trawl will come under the scheme. Treasury expectations are that, across the UK, there will be an initial fund of several hundred million pounds, with an ongoing top-up of a few tens of million of pounds.

Mr Weir: I can understand the Government's reason for channelling the money through the Big Lottery Fund. However, what will happen when permission has been given to one of the smaller banks to distribute the money, and the customer wants to claim that money back? Who is going to be responsible for paying back that money? I am worried that there could be a situation in which a customer tries to withdraw money, only to be told that it is now being used to sponsor a donkey in Donaghadee.

Mr Lambe: As with the main scheme, a portion of the dormant account money identified by the smaller banks and building societies will be set aside and transferred to the national reclaim fund, which will be responsible for those claims.

Mr Weir: OK. That would be a one-stop shop regarding claims for money.

The Chairperson: Roy, I am sorry. I was not fair to you. I created a diversion, and Peter took full advantage of it.

Mr Beggs: I want clarification regarding money going to the Big Lottery Fund. There are many churches and youth organisations — for example, the YMCA — that do not believe in accepting money from the Big Lottery Fund. Have you sought reassurance that the money will go to a scheme that many laudable charitable organisations will avail of?

Mr Pengelly: As part of the consultation process, the Minister made the point to the Treasury that there were many organisations in Northern Ireland that would be uncomfortable with the use of the Big Lottery Fund. However, it is a reserved matter, and the Treasury has decided to pursue the use of the Big Lottery Fund, largely for efficiency reasons and because there is an established mechanism.

However, we have been assured that there will be complete separation of funds and distinct and unique branding. That is an issue that we want to pursue locally so that when voluntary and community groups in Northern Ireland seek funding from the scheme, they know that it will not have come from lottery proceeds and that they will not end up with a lottery plaque on the wall.

On a small point regarding potential local opt-out, there are two smaller building societies in Northern Ireland — the Progressive Building Society and the City of Derry Building Society.

The Chairperson: What are the consequences if the Assembly decides that it does not like this particular approach? What would the process be if the Assembly decided that it wanted to introduce its own Bill?

Mr Pengelly: It is financial services legislation; therefore, it is a reserved matter.

The Chairperson: OK. What is the consequence if the Assembly decides against giving its consent?

Mr Pengelly: We have not pursued the consequences in detail. As it is a reserved matter, Westminster would be able to legislate for Northern Ireland. The issue would be whether Westminster would implement legislation to put in place its own mechanism for distributing the money in Northern Ireland without any local flavouring of priorities. Alternatively, it may decide that nothing would be

distributed in Northern Ireland. I doubt that it would be the latter option of no distribution in Northern Ireland. I suspect that there would be some mechanism to channel funds to Northern Ireland; however, the Executive would lose the ability to influence that.

The Chairperson: The issue certainly merits some exploration so that members understand it before it gets to the Floor of the Assembly. Will you need a question for written answer from the Committee regarding that?

Mr Pengelly: That would be helpful. We have raised that issue with the Treasury, and I think that it would regard that as a doomsday scenario.

Mr Weir: I appreciate what has been said about the rebranding of the funds regarding the Big Lottery Fund. I am still not particularly comfortable with that. Whatever way it is branded, I suspect that a lot of church organisations will be loathe to have to say that the money came from the Big Lottery Fund, even though it was not raised through the lottery. I suspect that there will still be a fair level of opposition from church organisations.

With regard to accepting money that the Government have taken from dormant accounts, I am not sure whether some organisations will see that as a more moral option. I appreciate that the decision on the funds is outside our hands, but I would prefer it if the money were separate from the Big Lottery Fund. I know that that is not the position that the Treasury has taken, but a rebranded version will not be satisfactory for a lot of organisations.

Mrs Lennon: It may reassure you to know that under the proposed legislation the Big Lottery Fund will have to prepare an annual report and an annual statement of accounts for that separate funding stream, and they will be laid in the Northern Ireland Assembly.

Mr Weir: Many of the organisations that will have problems with claiming money from the Big Lottery Fund will see those measures as relatively fine distinctions. However, I might be wrong, and many of them will avail of the money. I do not think that the compulsion imposed on the Big Lottery Fund by the Bill will provide the necessary level of reassurance to organisations — a lot of organisations will be put off. I do not know why the money cannot be divided between the regions and Northern Ireland be granted £5 million for this year, for instance. I am disappointed that the money cannot be given to the Executive. I appreciate that it is not our decision, but I do not see why it has to come through a separate organisation.

Mr Pengelly: The key rationale is the Treasury's view that the dormant accounts funding must be unique and additional to mainstream Government funding. That is why it wants a completely separate and distinct distribution mechanism. Rather than

allocating the money to the Executive and that money being used to fund normal public expenditure programmes, the Treasury wants to see something unique and additional. We have discussed the issue with the Minister, and, as part of the consultation within the confines of the scheme as dictated by Treasury, we want to seek views on what steps can be taken to make people as comfortable as possible.

Mr Weir: Correct me if I am wrong, but have there not been times when granted money has been given to Northern Ireland and ring-fenced or hypothecated for a purpose?

Mr Pengelly: Possibly, yes.

Mr Weir: Therefore it seems strange that the money from dormant accounts cannot be treated differently.

Mrs Lennon: It is not public expenditure: it is a completely separate stream of money.

Mr Weir: There is a fine distinction. The Government have found a way to get money out of people, and they are finding a way to pass it on so that it gets spent for the public good. The Government are notorious for raiding pension funds and imposing various clever forms of taxation. I do not see a distinction between that and taking money from dormant accounts. It is dancing on the head of a pin, to be perfectly honest.

The Chairperson: The Dublin Government are more explicit and blunt in their approach. They merely passed the legislation and took the power.

Ms J McCann: Will banks be encouraged to be proactive in trying to find the holders of accounts that have not been used for 13 or 14 years? If the account holder is dead, will living relatives be entitled to claim the funds? If the Bill is not passed, what happens to the money in the dormant accounts?

Mr Pengelly: Banks will undertake a significant proactive exercise — the repatriation exercise — in advance of the start of the scheme in which they will correspond with the last known address of the account holder. If the account holder is dead, the account will form part of his or her estate and will pass directly to any living descendent. If the account holder never appears, the money will stay in the fund and continue to fund projects. It will remain there until someone claims it. If that does not happen, it will just reside there.

Mrs Lennon: An advertising campaign has also begun on the reuniting exercise. There were advertisements in the 'Belfast Telegraph' last week.

Mr McQuillan: I saw advertisements over the weekend.

Dr Farry: Will the threshold for someone seeking to reclaim money from the subsequent funds be

different from that for a person who goes to the bank today to withdraw money from the account in year 16?

Mr Lambe: When you say “threshold”, do you mean the amount of money?

Dr Farry: I mean what the person must do to get his or her money. Does anyone have to jump through more hoops in year 16 than they would in year 14?

Mr Lambe: In both year 14 and year 16, after the specific dormant account money has been transferred, the person would have to establish proof of identity to the financial institution to prove that he or she is the person whose dormant account funds have been transferred.

Dr Farry: If I were to go into a bank today and prove my identity, I could withdraw money from my account today. Would there be a delay for a person seeking to claim his or her money back? Would he or she have to fill out more forms in triplicate or send an application off in the post and wait for six months or so?

Mr Lambe: I am not aware that the Treasury discussions have reached that level of detail yet. Although the dormant account money will have been transferred to a central reclaim fund, which will meet the claim, the customer will first approach his or her bank or building society, which will initiate the recovery process from the reclaim fund. I would imagine that the process is unlikely to be as straightforward as proving identity and receiving the money on the same day. There are likely to be additional administrative steps.

Dr Farry: Basically, the bank is not required to honour the request immediately by giving the customer his or her money, if the account has been dormant for 16 years. The bank will tell the customer that the money has been referred to a central fund, and although the customer is entitled to it, he or she will have to go through a certain process to get it.

Mr Lambe: Yes. The customer’s legal entitlement to have the money repaid is a right as against the reclaim fund and not the original bank or building society, because of the transfer.

Dr Farry: I recognise the argument for trying to use what is, for all intents and purposes, dead money. However, the unease comes because, essentially — with the person having taken no action — the Government interfere with the person’s access to his or her property by making it more difficult to retrieve. The circumstances under which a person can access his or her funds will have changed. That is a potential problem.

A second issue concerns the distribution of the funds. The Big Lottery Fund is separate from normal Government expenditure, but, in practice, core areas of life are covered by Big Lottery funding, allowing the Government to opt to offload responsibilities for

arts funding, for example. Recently, money has been withdrawn from Northern Ireland by the Big Lottery Fund in anticipation of the 2012 Olympic Games.

My concern is that money might be allocated on the basis of population, as opposed to need. Need is not evenly distributed across the UK, and regions such as Northern Ireland, Scotland, Wales and the north of England require a higher per capita expenditure than that required in London and the south east. If resources are allocated on the basis of population, rather than need, the money is re-weighted in favour of London and the south east at the expense of the regions.

Mr Pengelly: That debate goes far beyond the issues in the Bill; it goes to the core issue of funding the devolved Administrations in particular. Treasury’s approach to funding devolved Administrations is the Barnett formula, and it has no plans to review that. However, you make a valid point.

Mr Hamilton: I want to go over the point again about how the money is to be distributed. One criticism of the Big Lottery Fund, in addition to the difficulties of accessing funding for moral reasons, is that the quality of some of the projects has been somewhat dubious or they have been lacking in merit. Your paper refers to: “a general definition of ‘social or environmental purposes’”.

That is a fairly wide definition. The Executive cannot say that they want the money for priorities in the Programme for Government, such as roads or infrastructure. The money will be more likely to go to the donkeys in Donaghadee, as Peter said. It is more small-scale projects that would be involved, rather than large infrastructural projects.

Mr Pengelly: It is likely that, given the sums involved, the projects would be small. However, the legislation provides for “social or environmental purposes”, which is a pretty broad canvas, and the Executive can apply a level of detail as regards priorities. The legislation will also provide for the Department of Finance and Personnel to provide direction to the Big Lottery Fund. Thus, the Executive can drill down in as much detail as they choose. Again, that detail would be considered as part of the consultation process.

The original legislation was supposed to deal with just social issues, but I think that it was the Scots who pressed for the inclusion of environmental issues. Those two types of issues pretty much cover most of the activities in which Government would be involved. The Executive will want to drill down into this issue and provide the lottery fund with a pretty firm steer on distribution.

Mr Hamilton: Should the Bill become law, it would be important to use the money that comes back to Northern Ireland — however much it will be — for

worthwhile projects, rather than for abstract projects of limited value.

Mrs Lennon: That matter will be consulted on after the legislation has been passed, and I presume that we will appear before the Committee again to discuss that. An Order setting out the Northern Ireland priorities will come before the Assembly, so the Assembly will have an input.

The Chairperson: The Committee will consider its position as regards endorsement of the legislation. The issues raised will be recorded in the Hansard report, of which you will receive a copy. It would be helpful if you could respond to the Committee in writing. If it is felt necessary, we could ask you to come before us and help us. As I understand it, 19 November 2007 is the next date on the timetable.

Mr Pengelly: That is the indicative timing.

The Chairperson: We have two meetings scheduled before that date, so there will be an opportunity to meet you again, if necessary. I would ask that you forward a written response as soon as possible.

Mr Pengelly: I will try to send that response early next week.

The Chairperson: Mr Pengelly, I thank you and your colleagues for your help.

NORTHERN IRELAND ASSEMBLY

COMMITTEE FOR CULTURE, ARTS AND LEISURE

Thursday 25 October 2007

LIBRARIES BILL (NIA 5/07)

Members present for all or part of the proceedings:

Mr Barry McElduff (Chairperson)
Mr Francie Brolly
Lord Browne
Mr Nelson McCausland
Mr Paul Maskey
Mr Pat Ramsey
Mr Ken Robinson
Mr Jim Shannon

The Chairperson (Mr McElduff): We will now begin the formal discussion of the Libraries Bill. The Bill Clerk is with us today, and he is always very helpful in these matters.

I refer members to the table of issues that they have identified as being of concern to them, and to a summary of the Minister's responses, which we heard last week. The Committee must consider the Minister's evidence and decide whether it is content with how he has responded to the Committee's concerns. That is best done systematically, and I will deal with each issue in turn.

First is clause 2, "Duty of authority to provide library service". The Committee's position is that it wants the term "comprehensive and efficient" to be included in the clause. Last week, the Minister said that such terms add meaning to the Bill, and that he is happy to consider the inclusion of the terms. He said that he would get back to the Committee on the matter.

The Committee also asked the Minister how the efficiency of the library authority will be monitored and who will monitor it. The Minister said that the library authority will be monitored by the chief executive, who will report to the permanent secretary, who, in turn, will report to the Minister. The Minister will then report to the Committee. The Minister said

that he was happy with those mechanisms and that there was no need for an outside body to carry out the monitoring. Ms Irene Knox also said that she would report to the Committee on standards and that any proposal for the updating of standards would be brought before the Committee. The Minister said that he was not in favour of including that matter in legislation as it would result in a loss of flexibility. Does the Committee agree that we need to write to the Minister asking him to report back in writing on his deliberations on the inclusion of the phrase "comprehensive and efficient"?

Members indicated assent.

The Chairperson: Are members content with the Minister's response on how standards will be monitored? If not, we could write to the Minister asking him to consider making an amendment to require that the performance standards of the authority need to be improved by the Assembly. Are we agreed that we are happy with the response?

Members indicated assent.

The Chairperson: Last week, the Committee told the Minister that it was concerned that clause 2(2) does not provide adequate protection for reference material. We asked the Minister to consider expanding the clause to include reference to protecting material of regional and national importance. Nelson, you have consistently raised that point.

Ms Knox replied that the difficulty with including such a provision in legislation is that it is not always possible to identify such material unless someone points it out. Therefore, the authority could be placed in a difficult position should it miss a publication — in other words, it could be brought to court if it failed to collect a particular item. However, Ms Knox said that she would consider the inclusion of a general phrase in the legislation. The Department has indicated that we will have a response from the Minister by 16 November, in preparation for the clause-by-clause scrutiny on 22 November.

I now turn to clause 6, "Charges for certain library services". The Committee is concerned that this clause does not guarantee free core library services. Last week, we asked the Minister whether he would amend clause 6(1) in line with the wording suggested by the Southern Education and Library Board. The Minister said that he would consider the wording and report back to the Committee. A response is due by 16 November.

We also asked the Minister for his view on the idea of introducing a standard set of charges to apply to all libraries in all areas. The Minister said that one of the reasons for having a single library authority is to ensure a consistent service across the board, and that he saw no benefit in having different charges

in different regions. Are members content with the Minister's response? Are members content that clause 6(2) should remain as drafted, as it seems that there is no intention to set different charges in different areas, even though the Bill, as currently drafted, makes provisions for different charges? Does anyone want to guide the Committee on how to deal with that matter? I hear no strong views, so I take it that the Committee is happy with the Minister's response.

Members indicated assent.

The Chairperson: The Committee also asked the Minister whether he was content that he had legislative cover to make different charges to people of different ages. The Minister said that he could not give that assurance and would need to ask the relevant people to look at that matter on his behalf. Again, we will receive more information by 16 November. Are members content to await the Minister's response?

Members indicated assent.

The Chairperson: We now turn to paragraph 1 of schedule 2, which deals with membership of the authority. The Committee is proposing a substantive change to this schedule. The Committee favours a board of 20 members. Last week, the Minister said that he was open to the Committee's views and that the issue was still up for discussion. However, he made the point that, sometimes, larger boards do not work as effectively as smaller boards because people do not pull their weight, and that smaller boards can be more focused. I take it that Members are still in favour of Ken's proposal of 20 members. Therefore, we are seeking agreement to specify that figure, and we will write to the Minister asking him to amend the Bill accordingly.

Mr McCausland: Is that with regard to making sure that the membership is reflective of Northern Ireland society?

The Chairperson: The item that I am referring to is the number of board members. What you have referred to is a further point that you may want to major on. Is it our considered view that the board should consist of 20 members?

Members indicated assent.

The Chairperson: The Committee told the Minister that we favour elected representatives and union representatives being included on the board. The Minister said that he recognised that local government representatives bring a unique dimension to public bodies because of their interaction with the public. Again, that is still up for discussion.

Does the Committee want to suggest to the Minister how many board members should be local councillors? Do we want to ask the Minister to specify that, and that union representatives should be on the board, in

the Bill? If we do, we are going to have to write to the Minister regarding that. Or, do we want to specify another form of wording about the board's being representative of society and cultural diversity?

Mr McCausland: I think that that more general approach covers all of those bases.

The Chairperson: Are we agreed?

Mr McCausland: We should emphasise that there should be local government involvement.

Mr P Ramsey: And appropriate geographical balance.

Mr McCausland: Yes, the term "reflective" will cover that.

The Chairperson: Nelson, help us with a form of words.

Mr McCausland: "That the membership of the body should be reflective of Northern Ireland society."

The Chairperson: Is that agreed by members?

Mr McCausland: There is a form of words that is used by the Human Rights Commission and the Equality Commission. I do not know what it is, but we could consider that.

Mr Shannon: Are we going to specify the number of elected representatives, or are we saying that we are not going to do that?

The Chairperson: We are saying that the board should consist of 20 members. Do we want to be prescriptive, and say that one third, or less —

Mr Shannon: I am simply making the point. I am not proposing that by any means. A certain group of councillors could perhaps achieve the required geographical spread. Other members may have a different opinion.

The Chairperson: Other people have said that the Northern Ireland Local Government Association, for example, could provide the representation on the board and be the councillors' voice, but that may not be the case.

Does anyone want to be prescriptive regarding how many of the 20 members should be local councillors?

Mr McCausland: No. We do not have to do that at this point.

Regarding the point that Jim made, council representation would achieve a spread of people. However, there are dangers in that all the experts come from North Down. Therefore, it is good to get representativeness reflecting —

Mr Shannon: There are experts in other parts of the country apart from North Down.

Mr McCausland: Yes, but looking at the composition of the current boards, you would not think that.

The Chairperson: Are there any experts in the Ards area, Jim?

Mr Shannon: I can think of one or two. We have experts on lots of things.

The Chairperson: OK. Do we want to be specific and request that the legislation state that people from all geographical areas should be included on the board, or is that covered?

Mr McCausland: The term “reflective” covers geography, gender, cultural background, and so on.

The Chairperson: OK. Is that agreed?

Members indicated assent.

The Chairperson: Schedule 1, paragraph 3 refers to tenure of office. Wallace explored this last week.

Lord Browne: Yes. We were all agreed on that issue.

The Chairperson: Therefore, the Committee is content with the Minister’s response.

The Northern Ireland Public Service Alliance’s (NIPSA) view is that the chairperson of the board of the new library authority should be able to serve only a maximum of two terms of office. The Department agreed with that view, but said that it should not necessarily be included in the legislation, being covered instead by the rules of operation of the board.

Mr McCausland: Does the Department determine the rules of operation of the board?

The Chairperson: Do we want to ask that question specifically?

Mr McCausland: Yes. If it is the Department setting the rules, that is fine. However, if it is left to the board to set its own rules, it might decide —

The Chairperson: I am beginning to learn that if the Committee wants something written into legislation, the Department can say that it is not needed and that it can be included in the rules of operation or the explanatory and financial memorandum. Therefore, if we were being suspicious, it could be suggested that there are wee devices that the Department uses. However, we should not be suspicious.

Do we want it stipulated in the legislation that the chairperson of the board should hold office for a maximum of two terms, or are members content that it be included in the rules of operation? We will ask the question that Nelson proposed regarding who sets those rules.

Mr P Maskey: Ask the question first.

The Chairperson: OK. We can revisit that.

We have not received a response from the Departmental Solicitor’s Office regarding NIPSA’s proposed amendments. Last week, the Minister said that it seemed sensible for the Departmental Solicitor’s Office and NIPSA’s lawyer to find out whether they could agree a position. He said that he would report back to the Committee at the earliest opportunity.

With regard to the explanatory memorandum, the Committee had an issue with the start-up costs and estimated savings. Last week, we told the Minister that we believed that he was underestimating the start-up costs and overestimating the efficiency savings that could be made in the future. The Minister said that the predicted savings had already been agreed with the Department of Finance and Personnel (DFP). If the Department of Culture, Arts and Leisure (DCAL) were to move away from those figures, DFP approval would need to be sought. The Minister said that he is still aiming to make the efficiency savings, and therefore cannot amend the explanatory memorandum. Are members content with the Minister’s reasoning?

Mr P Ramsey: That is probably one of the most contentious areas, and there is a level of uncertainty there. The fact that the Minister conceded the appointment of an outside body to examine the overall costs indicates that there is a problem. The Minister confirmed today that Deloitte and Touche has been appointed.

The Chairperson: Should we press the Minister to amend the explanatory memorandum in relation to the savings?

Mr P Ramsey: Every presentation that the Committee has heard, particularly from the boards, has indicated expected costs two or three times higher than what the Minister indicated. We need more clarification.

The Chairperson: The Committee Clerk will explain the timing and the opportunity that remains to affect these amendments.

The Committee Clerk: The Committee is not meeting next week; the next meeting is on 8 November and that will be followed by a meeting on 15 November. Therefore, only a few meetings are left before the Committee begins its clause-by-clause scrutiny of the Libraries Bill. Today is the last meeting in which Committee members will be able to come up with questions, to query the Department and put questions in writing to the Department in time for it to come up with answers. The Department is already providing answers on 16 November, so anything that is sent today would have to be tagged on to those.

The Chairperson: The Committee will bear that in mind. Are we awaiting further information, or do we want to press the Minister to amend the explanatory

memorandum in relation to the savings? Is there any conclusion on that?

Mr McCausland: Have we had clarity on the point that was raised in the research paper: that, up to now, corporate costs have been met largely by the Department of Education (DE) and that, when the library authority is set up, those costs will be met by DCAL? The research paper states:

“DCAL explain that for ‘historical’ reasons corporate and support services for libraries...have been financed by the Department of Education (DE), an arrangement which will end once the single Authority is set up.”

Has there been clarification that less money will be given to the Department of Education and additional money given to DCAL to meet those corporate costs?

The Chairperson: Is there a question there for the Department?

Mr McCausland: How did that influence the Department’s estimation of the savings? DCAL might feel that it will make savings in corporate costs, but it was not paying for those anyway; the Department of Education was.

The Principal Clerk of Bills: There will probably be a transfer of funds from that programme from the Department of Education to DCAL, as it is taking over that policy issue. The savings that have been quoted must be real savings, and the Department will have taken that into account.

Mr McCausland: The difficulty was that the previous system was run through the boards, which were funded by DE, and the man in charge of the accountancy section was responsible for libraries, schools and youth services. How does one apportion those costs? Perhaps that was considered by the consultants.

The Chairperson: Deloitte specified a figure of £965,000 for corporate services.

Mr McCausland: Was that its estimate?

The Chairperson: Yes, and I understand that the bid so far has been for £550,000. Presumably the Department will need to bid for that greater amount, should that estimate turn out to be accurate. Is there an action point, or are we just deliberating?

Mr McCausland: We are deliberating.

The Chairperson: The Minister said that the Department was still working on the start-up costs and that he was not yet in a position to say whether he would change the figures in the explanatory memorandum. The Minister said that he would inform the Committee when the Department had worked out more concrete figures. The Department is aiming to produce those figures by 16 November.

There is that point, again, about 16 November being the day after the Committee meeting. Does that matter, or would it be helpful if that were to be brought forward?

The Committee Clerk: The Department was proposing to answer the Committee’s queries in December, so that date represents an agreement to bring its response forward.

The Chairperson: That is fine.

I refer members to the correspondence from the Belfast Education and Library Board and NIPSA on start-up costs for the library authority. Neither organisation was able to provide concrete figures. Are members content to wait for the Minister to provide figures before considering the matter further?

Members indicated assent.

The Chairperson: The timing for the creation of the library authority is not in the Bill. Last week, the Minister told the Committee that he was setting 1 April 2009 as the start date for the library authority. Members had been concerned about the proposed start date of 1 April 2008, given that it was a year before the proposed establishment of the education and skills authority. Are members content with the start date of 1 April 2009?

Members indicated assent.

The Chairperson: The links with the schools library service and the Department of Education are not in the Bill. The Committee has written to the Minister to request information on what discussions his Department has had with the Department of Education on the synchronisation of the establishment of the library authority and the education and skills authority. We also asked him how the links between the public library service and the schools library service will be maintained and developed, what sort of service-level agreement will be made and what sort of issues will it cover. A response is due next week.

Another issue that is not in the Bill is the sub-regional structure. Last week, the Committee asked the Minister to provide it with the operational structure of the library authority. Ms Knox said that she was drafting the operational structure and that it would be ready towards the end of November. She offered to come to the Committee when she was ready to discuss it. Are members content to wait to see the operational structure before considering the issue further, or do they wish to ask Ms Knox to discuss it?

Mr P Maskey: I have no problem with waiting for Ms Knox to come back. However, when she comes back, if the Committee decides that there should be changes to the structure, can it ask her to make them, and will she have time to do so?

The Committee Clerk: We have drawn up a table in an attempt to help the Committee come to its final conclusions on the Bill before the end date of the extension. Therefore, we have a little bit of time.

Mr P Maskey: Then we will just wait.

The Chairperson: OK. The Committee has concluded its business for today. If there are additional comments, please feel free to make them now.

The Principal Clerk of Bills: On the question of rules, clause 9 of the Bill refers to the Department's powers of direction. The clause enables the Department to give general or specific directions to the authority on the exercise of its functions. It is likely that this clause relates to setting the rules of operation. Two terms are being used. In the legislation it is referred to as "powers of direction", and I suspect that that relates to setting rules. However, the Committee will have to write to the Minister for clarification of that.

As the Department is due to respond on 16 November, but the Committee is to meet on 15 November, may I suggest that the Committee considers writing to the Department for the sake of two days, so that the material could be with you the day before you have to address the issues.

The Chairperson: I take the Committee Clerk's point that the response was originally going to be given in December and that 16 November is some sort of concession. That said, perhaps the Committee should write to the Department to ask for that increased flexibility. Thank you for that suggestion.

Mr P Ramsey: Some of the questions that I asked the Minister and officials last week remain unanswered. Some of the questions were about legislation, but some related to operational matters, such as the total redundancy costs, the branding of the new service, the establishment of the new headquarters and whether there would be costs relating to sub-regional offices. All those questions were to enable members to be sure that we are going down the road that we want to go down. We know that significant savings will be made, but will the same service be provided?

I raise that point because there are occasions when the Minister or officials are unable to give the Committee answers. What is the follow-through mechanism for getting those answers? For example, I am not sure whether DCAL officials are present today. If they were, they could take those questions away and give the Committee an assurance that the questions that remained unanswered from weeks ago will be looked at. The Committee keeps coming back to the same questions. What is the point of asking questions if we are not given the appropriate answers?

The Chairperson: So there are unanswered questions?

Mr P Ramsey: I have consistently asked a range of questions, and they remain unanswered.

The Principal Clerk of Bills: Normally, officials will scour Hansard and pick up anything that —

Mr P Ramsey: Normally?

The Principal Clerk of Bills: You may want to have that relayed back to ensure that officials do that.

Mr P Ramsey: In light of the amount of effort that the Committee has put into the Bill, I would be happy enough, Mr Chairperson, if you were to send officials a letter requesting them to address the questions that have been asked and recorded in Hansard over recent weeks.

The Chairperson: That is a very general request, and it would be leaving it to the officials' interpretation as to what was asked and what was not asked. However, that is OK.

Mr P Ramsey: The problem is that we are forced into asking questions of the Minister outside the DCAL setting, which should not be the case. However, we have to do that because we are not getting answers.

The Chairperson: Pat, maybe you could refresh your memory and speak to the Committee Clerk about those issues later.

Mr P Ramsey: I will give the Committee Clerk the information.

The Chairperson: That is great; it is exactly what we need. Thank you very much, members.

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 process or changed.

NORTHERN IRELAND ASSEMBLY

Friday 28 September 2007

Written Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Equality Provision

Mr Simpson asked the Office of the First Minister and Deputy First Minister if it has identified any improvements that could be made to equality provision. (AQW 192/08)

The First Minister and deputy First Minister (Rev Dr Ian Paisley and Mr M McGuinness): The Office of the First Minister and Deputy First Minister aims to develop policies and legislation that will better contribute to promoting equality of opportunity for everyone in Northern Ireland.

The existing framework of equality policy and legislation has been strengthened recently in a number of areas, for example on age and disability.

As you are no doubt aware, the Department is also considering proposals for Single Equality legislation. These will of course be brought before the Assembly for their consideration.

Policies to promote equality and social inclusion are currently being developed on a range of issues.

The Equality Commission for Northern Ireland has recently completed a major review of the effectiveness of Section 75 of the Northern Ireland Act and has consulted on its findings. We will ensure that there is full consideration of the Review findings and recommendations when the final report is published.

Victims' Groups

Mr Bresland asked the Office of the First Minister and Deputy First Minister what funding has been made available for victims groups in West Tyrone in 2005, 2006 and 2007. (AQW 272/08)

The First Minister and deputy First Minister:

Records show that funding detailed in the table below has been allocated to organisations based in West Tyrone involved in providing support for victims between April 1998 and March 2007. A year by year breakdown of these figures is not currently available and could only be provided at disproportionate cost.

In addition to the amounts shown, victims' groups may also apply for funding from any programme or scheme, such as the District Council Community Relations Programme or European Union funding through the Local Strategy Partnerships, in cases where they can satisfy the relevant eligibility criteria.

Organisation providing support for Victims	Amount Allocated £
Co Tyrone Frontier Relief Society	2,000
Derry and Raphoe Action	347,229
Koram Centre/Strabane Befriending & Counselling Association	254,938
Omagh Support and Self Help Group	217,747
WAVE Omagh	193,771
West Tyrone Voice	820,085

Equality Legislation

Mr Storey asked the Office of the First Minister and Deputy First Minister to detail the meetings and correspondence it has had with other (i) regional assemblies; and (ii) legislatures, about improving equality legislation. (AQW 339/08)

The First Minister and deputy First Minister: The Office of the First Minister and deputy First Minister have not had any meetings or exchanged any correspondence with either (i) other regional assemblies; or (ii) other legislatures, about improving equality legislation.

However, as part of the work into developing proposals that might form part of any future equality legislation, officials remain in contact with their counterparts in Great Britain and the Republic of Ireland.

North-South Ministerial Council

Mr McCarthy asked the Office of the First Minister and Deputy First Minister to give an update on the work of the North-South Ministerial Council. (AQO 206/08)

The First Minister and deputy First Minister:

On 18 September 2007 we provided a full statement to the Assembly on the fifth Plenary of the North/South

Ministerial Council (NSMC), which was held in Armagh on 17 July 2007. As outlined in our statement, the Plenary was significant in that it was the first meeting of the NSMC since 2002. Important decisions were taken in relation to investment in infrastructure matters and the restoration of a section of the Ulster Canal. The meeting agreed to invest £400 million in infrastructure improvements.

At the Plenary, the Council also considered and approved a schedule of NSMC meetings to take place over the coming months. The first of these – a Transport Sectoral – was held in Co Fermanagh on Friday 14 September. In accordance with the Ministerial Code, a full report on that meeting will be made to the Assembly tomorrow. Planning is under way for the other Sectoral meetings. Prior to these meetings, the Assembly will receive details of the date, agenda and Ministerial attendance.

Rights of Disabled People

Mrs O'Neill asked the Office of the First Minister and Deputy First Minister to outline how it intends to promote the rights of disabled people; and how it intends to mark the international and European 'disability days'. (AQO 163/08)

The First Minister and deputy First Minister: The Office of the First Minister and deputy First Minister is committed to promoting the rights of disabled people by ensuring that there is robust disability anti-discrimination legislation in place.

To that end, we are continuing to build on the provisions of the Disability Discrimination Act through the implementation of the Disability Discrimination (Northern Ireland) Order 2006 which gives further rights to disabled people.

The Equality Commission for Northern Ireland also has a responsibility for promoting the rights of disabled people and has previously organised events to mark international and European 'disability days'. Officials from OFMDFM will be speaking to staff at the Commission in the coming weeks to discuss how best to mark these dates.

Investment Strategy

Mr Neeson asked the Office of the First Minister and Deputy First Minister to give a timescale within which it will report on the formulation of the next Investment Strategy for Northern Ireland. (AQO 205/08)

The First Minister and deputy First Minister: The Executive is taking a co-ordinated approach to the development of the Programme for Government, the

Budget and the Investment Strategy. We intend to publish the Investment Strategy in draft form for consultation during November and December along with the Budget and Programme for Government.

There will be a full 8 week consultation period following the publication of the draft Investment Strategy. Once this has concluded we will deliberate on the Assembly's views, and the views expressed through the consultation before seeking the agreement of the Assembly to the final Investment Strategy.

Civic Forum

Mr Shannon asked the Office of the First Minister and Deputy First Minister what plans it has to hold a Civic Forum meeting; and to detail how it will gauge public opinion and the opinion of elected representatives in respect of the role of the Civic Forum.

(AQO 197/08)

The First Minister and deputy First Minister: We are agreed on the importance of continuing to seek the views of civic society in developing policy but we recognise that the nature of our society has changed considerably since the original Forum was set up.

Before we can take decisions about any reactivation of the Civic Forum, we need to ascertain how many of the existing members are still available and willing to serve, in an interim capacity, if it is decided to reconvene the Forum during the Review period. We have written to the members to establish their position.

Should the replies indicate sufficient interest among Forum members to return, we will then need to consider what they might usefully be tasked to do.

It is not possible at this stage to provide a detailed methodology for the Review, we have still to finalise the terms of reference, in consultation with the Committee of the Office of the First Minister and deputy First Minister and with Executive colleagues.

However, we intend the Review panel to canvass views as widely as possible with key stakeholders and engagement with the OFMDFM Committee and the Assembly.

Efficiency of Departmental Structures

Mr Kennedy asked the Office of the First Minister and Deputy First Minister what consultations and discussions it has had on the rationalisation of the number of Northern Ireland departments; and when proposals on this matter are likely to be brought before the Assembly. (AQO 152/08)

The First Minister and deputy First Minister: As we have already advised the Assembly, we are aware

of concerns about the effectiveness and efficiency of the departmental structures we have inherited from the previous Executive. An examination of these structures could therefore be timely and we will be considering the most suitable mechanism and remit for such a review. At this time, however, no formal discussions or consultations have been initiated, nor is it possible to advise you of a date on which any proposals will be brought to the Assembly.

Programme for Government

Mr O'Dowd asked the Office of the First Minister and Deputy First Minister to outline the timeframe for the development of the Programme for Government; and to give a timescale within which the department intends to present it to the Assembly for agreement.

(AQO 162/08)

The First Minister and deputy First Minister:

Since devolution was restored on 8 May, the Executive has taken forward work to develop and agree a Programme for Government which will set out our priorities and plans for 2008 and beyond. In taking that work forward, we have sought to ensure that our Programme for Government is clearly focused on addressing the key economic, social and environmental challenges we face if we are to build a better future for all our people.

Recognising the need for close alignment between our policy and spending priorities, the Executive is taking a co-ordinated approach to the development of the Programme for Government, the Budget and the Investment Strategy. We intend to publish these documents in draft form for consultation by early November. This will enable the Executive to take full account of the outcome of the CSR exercise which will be announced in mid October.

Assembly members will have the opportunity to comment on the draft Programme for Government, draft Budget and draft ISNI during the consultation period. Once this has concluded we will consider the Assembly's views, and other views expressed through the consultation, before seeking the agreement of the Assembly to the final Programme for Government, Budget and Investment Strategy.

Lifetime Opportunities

Mr Elliott asked the Office of the First Minister and Deputy First Minister if it will give an assurance that it is fully committed to addressing rural poverty, as set out in 'Lifetime Opportunities' Government's Anti-Poverty and Social Inclusion Strategy.

(AQO 196/08)

The First Minister and deputy First Minister:

Section 16 of the Northern Ireland St Andrews Agreement Act 2006 places a statutory obligation on the Northern Ireland Executive Committee, to adopt a strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need.

It is acknowledged that while poverty and multiple deprivation tend to be concentrated in urban areas, rural communities here are also at risk with high levels of deprivation in less accessible rural areas.

To this end the Executive is committed to ensuring that any 'adopted' strategy will address the specific issues of poverty and social exclusion being encountered in both urban and rural areas here.

The Department of Agriculture and Rural Development's (DARD) vision of a thriving and sustainable rural community and environment in Northern Ireland means that it is engaged in many activities that will directly and indirectly tackle rural poverty.

Agriculture continues to have an important economic role in the rural economy. DARD will strive to increase the economic sustainability of all farm businesses, and will work in conjunction with other Government Departments towards the elimination of poverty in rural areas.

DARD obtained EU approval for its 2007-13 Rural Development Programme on 24 July 2007. This programme will put over £500m into rural areas over the next 6 years, with a focus on improving the competitiveness of the farming industry, improving the environment, and improving the quality of life in rural areas.

North-South Ministerial Council

Mr W Clarke asked the Office of the First Minister and Deputy First Minister to give an assessment of the recent North-South Ministerial Council meeting; and to give a timescale for action to be taken on any decisions made.

(AQO 160/08)

The First Minister and deputy First Minister:

On 18 September 2007 we provided a full statement to the Assembly on the fifth Plenary of the North/South Ministerial Council (NSMC), which was held in Armagh on 17 July 2007. As outlined in our statement, the Plenary was significant in that it was the first meeting of the NSMC since 2002. Important decisions were taken in relation to investment in infrastructure matters and the restoration of a section of the Ulster Canal. The meeting agreed to invest £400 million pounds in infrastructure improvements.

At the Plenary, the Council also considered and approved a schedule of NSMC meetings to take place

over the coming months. The first of these – a Transport Sectoral – was held in Co Fermanagh on Friday 14 September. In accordance with the Ministerial Code, a full report on that meeting will be made to the Assembly tomorrow. Planning is under way for the other Sectoral meetings.

Prior to these meetings, the Assembly will receive details of the date, agenda and Ministerial attendance.

Inward Investment

Mr P Maskey asked the Office of the First Minister and Deputy First Minister to outline the measures being taken to ensure that the fullest potential for inward investment, arising from the new political climate, is realised. (AQO 164/08)

The First Minister and deputy First Minister: We are already engaged in a number of major initiatives to encourage investment particularly from the United States.

Invest NI which is the responsibility of our ministerial colleague Nigel Dodds, also has an important role to market Northern Ireland in the United States and has invested considerable resources in this.

We intend to visit the United States later this year with colleagues to continue to promote Northern Ireland's interests and in particular to focus on this very important economic work.

We will be travelling to Washington, DC and other major US cities to develop and promote a US NI economic conference in Belfast for 2008 and will be working with Minister Nigel Dodds to meet with Chief Executives of major US corporations to market the investment message.

Nigel Dodds will undertake visits to Boston, New York, San Jose and other regions to promote interest. The Northern Ireland Bureau is working with Paula Dobriansky at the US State Department and seeking involvement from US business people.

The Bureau is working with other Departments and organisations on economic initiatives with corporate America, networking with Irish and Scots-Irish communities, education and research partnerships with universities and schools, cultural and sporting activities and promoting our expertise and best practice at federal and state levels.

Invest Northern Ireland and the Northern Ireland Bureau are working with the US State Department and US businesses to bring 3 economic missions to Northern Ireland and 2 to the United States before March 2008.

The Bureau is working with Tourism Ireland, Northern Ireland Tourist Board on a campaign to target the Scots-Irish communities in the southern states.

The Bureau is working with NI and US universities on a health symposium to promote our skills and research expertise.

The Bureau is bringing exhibitions to New York, Chicago, Nashville, Milwaukee and Atlanta.

Cultural connections between Northern Ireland, the Republic of Ireland, Scotland and Virginia were celebrated at a Bureau event and will be repeated in other areas of the United States.

In addition, Minister Nigel Dodds has agreed that Invest NI expand its overseas network with a new sales representative in India. The office will be within the British Deputy High Commission office in Mumbai and will develop opportunities with existing and potential investors.

Royal Ulster Constabulary Reservists

Mr McNarry asked the Office of the First Minister and Deputy First Minister what progress has been made on representations to the Secretary of State for pension/gratuity payments to Royal Ulster Constabulary reservists. (AQO 133/08)

The First Minister and deputy First Minister: We wrote to the Secretary of State on 29 June 2007 enclosing a copy of the Official Record of the Assembly debate on Pension Provision for the Part-time RUC Reserve [Official Report 26 June 2007]. The Secretary of State has responded but it has been necessary for us to seek further clarification of some of the information provided.

Planning Appeals Backlog

Mrs Bradley asked the Office of the First Minister and Deputy First Minister what steps it is taking to address the backlog of planning appeals.

(AQO 135/08)

The First Minister and deputy First Minister: In recognition of the growing backlog of planning appeals facing the Planning Appeals Commission, we have agreed with the Department of Finance and Personnel to commission a review of the Commission's funding and pressures. This review is currently underway and will help inform future decisions on appropriate levels of support for the Commission.

OFMDFM Website

Ms Anna Lo asked the Office of the First Minister and Deputy First Minister what plans it has to provide a good relations section on its website. (AQO 208/08)

The First Minister and deputy First Minister: The department's website has been designed, developed and built to meet the world wide web consortium accessibility initiative standard. It is kept under review to ensure that it remains in line with departmental objectives and continues to benefit the end user.

The website has webpages on both community relations and racial equality and good relations. These pages will be reviewed and developed and given appropriate prominence as the Executive's policy on good relations develops. We very much welcome suggestions which improve and enhance our website and have asked our officials to discuss with you your ideas for improving this part of the website.

Child Poverty

Mr Cobain asked the Office of the First Minister and Deputy First Minister to provide an update on the most recent Government statistics on child poverty in Northern Ireland; and to detail how this reflects on the progress towards achieving the United Kingdom target of halving child poverty by 2010, and eradicating it by 2020. (AQO 195/08)

The First Minister and deputy First Minister: The basis on which child poverty is measured has been changed. The figures below reflect the impact of these changes and of course other impacts related to policy.

Based on the new methodology the number and percentage of children in relative income poverty in;

- 2002/2003 was 119,000 (27%)
- 2005/2006 was 122,000 (29%)

Based on the old methodology the 2002/2003 figure was 114,000 (26%).

It is not possible to indicate progress made as the estimates for the number of children in relative income poverty for the baseline year of 1998/99 are in the process of being revised in light of the new methodology.

There are no projections available to indicate whether the child poverty target is likely to be met in Northern Ireland by 2010.

AGRICULTURE AND RURAL DEVELOPMENT

Forestry

Mr W Clarke asked the Minister of Agriculture and Rural Development what progress has been made

towards increasing the added value of forestry in Northern Ireland, by developing small-scale sawmills and biofuels, and by increasing the area of woodlands brought into active management on farms.

(AQW 159/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): In 2004, DARD's Forest Service established a three year Challenge Fund to encourage landowners to establish willow coppice for an energy end-use. Under this scheme 950 hectares of willow coppice were established (or approved for establishment) by 45 rural businesses. Under Axis I of the 2007-2013 Rural Development Plan, funding will be available for further short rotation coppice establishment.

Forest Service has worked with timber customers and signed long term contracts with both large and smaller sawmills, which has assisted in providing the confidence within the industry to invest in new wood processing technology. This has both strengthened the economic performance of sawmills and has underpinned the demand for home grown timber from both state and private forests. In addition, Forest Service continue to offer an appropriate volume of timber through a quarterly tendering process to accommodate very small sawmills not yet wishing to engage in long term contracts.

Agri-Food Industry

Mr Simpson asked the Minister of Agriculture and Rural Development what analysis she has carried out to establish the ability of Northern Ireland's agri-food industry to enable it to compete successfully against that of the Republic of Ireland.

(AQW 160/08)

Ms Gildernew: Invest NI is responsible for supporting food processing companies in the North. Our food processing sector turnover was £2.5 billion in 2004 with 18,391 employees.

My Department undertakes extensive statistical analysis of the size and performance of the local agri-food industry. This information is published annually and represents the primary source of statistical information and performance indicators for industry.

DARD, in conjunction with Invest NI, has undertaken substantial consumer market research. This "Periscope Research" represents one of the most in depth evaluations of food consumption carried out within Ireland and Britain, involving a sample of 3,000 people. The results of this research will help local companies to target markets more effectively, especially those in Britain and the South.

A major diagnostic study of the export readiness of the food processing sector was also commissioned from Food from Britain under the auspices of the Food Strategy Fit for Market Report. This research produced a valuable assessment of the export capabilities of local companies.

The work carried out by my Department, along with Invest NI has not only given the industry the tools to further explore market opportunities, but it has also galvanised the sector to work together for the greater good of the entire agri-food industry.

Agri-Food Industry

Mr Simpson asked the Minister of Agriculture and Rural Development how she intends to increase the ability of Northern Ireland's agri-food industry to enable it to compete successfully against that of the Republic of Ireland. (AQW 162/08)

Ms Gildernew: One of the key aims of my Department is to help increase the competitiveness of our agri-food industry. As we export a majority of our meat and dairy produce we need to be competitive on a world stage taking account of all our competitors.

My Department, along with the Department of Enterprise Trade and Investment, have been working together to implement over 20 recommendations from the Food Strategy Group's "Fit for Market" report. These cover four key areas, Marketing, Innovation, Supply Chain and Capability that will assist our agri-food industry to compete successfully in all markets including the South of Ireland.

DARD is involved in a number of initiatives designed to increase our competitiveness in export markets, including; the Supply Chain Awareness Programme, facilitating farmer and industry groups in examining how and why certain competitors are effective; the Beef Eating Quality Project, designed to improve the eating quality of our beef.

At primary producer level; knowledge and technology transfer, industry training programmes, and benchmarking, all contribute to improving the performance of farm businesses and assisting farmers and growers to produce the quality of product demanded by an increasingly competitive global marketplace.

I am currently engaged in discussions with the DETI Minister to ensure that the local agri-food industry has cohesive, fit for purpose support structures that will allow our quality products to continue to compete in the world marketplace.

Joint Afforestation Strategy

Mr W Clarke asked the Minister of Agriculture and Rural Development what plans she has to meet with her counterpart in the Republic of Ireland to explore the development of a joint afforestation strategy. (AQW 163/08)

Ms Gildernew: I have no immediate plans to meet my counterpart, Mary Wallace, Minister at the Department of Agriculture and Food, about afforestation issues.

A Forestry Strategy was published by my Department in 2006, following two rounds of public consultation and an economic appraisal. The Strategy outlines main themes, one of which is a programme of afforestation, that the Department will take forward through the 2007-2013 Rural Development Programme approved by the European Commission on 24 July 2007.

I am aware, however, of a range of forestry issues that my officials deal positively with in co-operation with their counterparts in the South and further opportunities to develop the approach are being discussed. I will wish, therefore, to meet Minister Wallace in due course to discuss these matters. The possible opportunities around a joint afforestation strategy could also be usefully explored at such a meeting.

I recognise, however, that there is work to be done to increase forest cover in the North, in order to reach a comparable level with the twenty six counties and the rest of Europe.

Coastal Erosion

Mr W Clarke asked the Minister of Agriculture and Rural Development what measures and investment are being introduced to protect the Irish coastline from sea erosion. (AQW 227/08)

Ms Gildernew: The North of Ireland does not have any legislation specifically related to coastal erosion. A licensing system under the Food and Environment Act 1985 (FEPA) is operated by the Environment and Heritage Service of the Department of Environment in which a licence is required for works involving a deposition of materials below the high water mean spring tide. A long standing inter-Departmental agreement known as the Bateman formula is in place whereby cost beneficial works to protect essential infrastructure from erosion may be undertaken by the Department or authority responsible for the asset at risk. DARD, Rivers Agency has sole responsibility for 26 kms of sea defences to protect against flooding and undertakes essential works when the cost of works satisfies the cost benefit criteria. The Rivers Agency also undertakes essential cost effective works to

combat erosion, which do not fall within the functional area of other Departments or Agencies.

Coastal flood risk management and erosion policy is currently under examination in the light of an independent review of Rivers Agency Flood Management Policy and the impending EU Flood Risk Management Directive. Also proposals are underway to replace FEPA through the UK Marine Bill which seeks to put in place legislative and structural reforms to deliver integrated management of the coastal and marine area.

Mountain-Biking

Mr W Clarke asked the Minister of Agriculture and Rural Development what plans she has to provide funding for mountain-biking in forests in Northern Ireland and to detail any previous consideration given to the provision of such funding. (AQW 230/08)

Ms Gildernew: My Department is not currently dealing with any applications for funding of mountain bike projects. The Department is currently developing its rural development strategies under the rural development programme (2007-2013) and these will provide the basis for assessment and funding of projects. The Department has previously considered applications for funding under the Rural Development Programme Natural Resource Rural Tourism Initiative, for components of a cycling strategy for NI developed by CAAN. My Department provided the funding associated with the construction of 3 family cycling trails in 2006 in major recreational forests in counties Down, Fermanagh and Armagh. My Department remains committed to developing the recreational use of forests as outlined in the forestry strategy – A Strategy for Sustainability and Growth published in 2006.

Single Farm Payments

Mr P J Bradley asked the Minister of Agriculture and Rural Development if she will detail the number of apologies issued to farmers and land owners in the 2006 calendar year, due to computer or clerical errors made in her department's offices. (AQW 247/08)

Ms Gildernew: During the 2006 calendar year, four of the responses to complaints made under the Department's formal complaint procedure and letters to the minister in relation to the Single Farm Payment Scheme included an apology for administration errors made by the Department.

Single Farm Payments

Mr P J Bradley asked the Minister of Agriculture and Rural Development to outline the proposed timetable for the hearing of all appeals against decisions made by her department in relation to 2005 Single Farm Payments. (AQW 248/08)

Ms Gildernew: Appeals are dealt with on a chronological basis. Their completion is subject to obtaining all relevant information some of which may be from third parties over which my Department has no control. In a number of cases we are awaiting additional information from the appellants and, again, these cases cannot progress until this is received.

However, I can advise that as of 19 September 2007 there were 31 Stage 1 and 162 Stage 2 cases outstanding.

Of the 162 Stage 2 appeals outstanding, 58 cases have been heard by the Panel (5 cases adjourned) and decisions on these will be issued in the near future. A further 53 cases are ready for consideration by the Panel and these will be heard over the coming months. There are 13 cases currently on hold pending information from third parties and there are 27 cases being processed to Panel stage. Processing of the remaining 11 cases will begin soon.

I can assure you that every effort is being made to clear the outstanding cases as quickly as possible.

Biofuels

Mr P J Bradley asked the Minister of Agriculture and Rural Development what is her assessment of food production being compromised by the growing of crops for use as biofuels. (AQW 249/08)

Ms Gildernew: Such a compromise is not envisaged.

Current market conditions are more attractive to the arable sector for the growing of cereal crops, rather than for energy crops.

As you will be aware, our agriculture is predominately grass based, with only around 5 per cent devoted to other, mainly cereal and vegetable, crops. Only 470 hectares of oilseed rape was planted as of June 2006 indicating that the overall impact on food production is negligible.

Although DARD modestly supports the growth of crops for energy under the EU Aid for Energy Crops Scheme, there are no plans to further support the growth of crops specifically for the purpose of biofuel production.

Biofuels

Mr P J Bradley asked the Minister of Agriculture and Rural Development what is her assessment of the long-term effect that the growing of crops for biofuels will have on quality agricultural land. (AQW 250/08)

Ms Gildernew: Growing biomass and biofuel crops should not lead to any fundamental change in the quality of our farmed land. The management of growing oilseed rape and cereals for biofuel purposes does not differ significantly from that involved where the crop is being grown for food purposes.

Biomass crops such as short rotation coppice willows (SRC) and miscanthus remain in the ground for 15 to 20 years and can build up a substantial root or rhizome system. However, this ground can be returned to grass production by the use of: an approved herbicide to kill the willows or miscanthus; rotavation to break up the roots or rhizomes; and resowing.

While Miscanthus ground can return to arable cropping immediately, it may take several seasons to return to SRC Willow ground to arable crop production. Where willows have also been used for the bioremediation of sewage sludge or effluent there will be a further delay before the land can be used for food production.

In summary there is no evidence that growing biomass crops leads to any decline in soil quality.

Land and Facilities at Castlederg Nursery

Mr Elliott asked the Minister of Agriculture and Rural Development to outline for what purpose she intends to use the current land and facilities at Castlederg Nursery, once the present nursery use ends.

(AQW 262/08)

Ms Gildernew: The land and facilities at Castlederg nursery are currently being managed with the main objective of growing transplants and this will remain the case until May 2008.

No decision has been taken on the long-term future of the land and facilities after the cessation of plant production.

Any decision taken will, however, be in line with the strategic objectives of DARD, the Forestry Strategy, and will also take account of the current review of Forest Service organisational structure to provide a more efficient delivery of services.

Farm Viability Criteria

Mr Elliott asked the Minister of Agriculture and Rural Development to detail, broken down by district council area, the number of applications it has received for farm viability criteria from Planning Service, and the number of these that were recommended to Planning Service as being viable, in each of the last five years. (AQW 264/08)

Ms Gildernew: The information provided details the number of requests for viability assessments received by DARD from DOE, Planning Service during the past five years. As our recording system does not hold this information by district council area, it is broken down on a county basis. Please note that the issue of whether permission for a dwelling should be given is a matter for the Planning Service and not DARD.

	Number viability assessments received from Planning Service	Number recommended to Planning Service as being viable
Antrim		
2003	141	65
2004	119	79
2005	123	75
2006	76	47
2007	63	43
Armagh		
2003 from July onwards	26	11
2004	60	33
2005	87	36
2006	62	31
2007	74	39
Down		
2003	261	141
2004	200	124
2005	183	118
2006	130	93
2007	81	56
Fermanagh		
2003	24	8
2004	21	11
2005	24	10
2006	25	13
2007	41	16

	Number viability assessments received from Planning Service	Number recommended to Planning Service as being viable
Derry/Londonderry		
2003	59	31
2004	62	41
2005	118	57
2006	105	47
2007	54	23
Tyrone		
2003	47	25
2004	58	37
2005	62	37
2006	94	46
2007	58	33

Organic Farming

Mr Bresland asked the Minister of Agriculture and Rural Development what plans she has to promote organic farming in Northern Ireland.

(AQW 303/08)

Ms Gildernew: Under the Northern Ireland Rural Development Programme 2007-2013, which was approved by the European Commission in late July 2007, I hope to offer a new Organic Farming Scheme to assist farmers who wish to convert from conventional to organic production.

The new scheme should offer increased levels of support for the organic livestock sector, with additional support for the organic cereal and horticulture sectors. DARD proposes to pay the following amounts to farmers to cover the first five years of conversion to organic production:

Horticulture (including top fruit)	£670
Arable	£570
Other Improved Land	£470

These payments are on a 'per hectare' basis, and will be apportioned over the five years.

I also hope to offer an ongoing post-conversion payment of £30 per hectare per year for such land, which is certified organic, under the proposed Organic Option in the new Countryside Management Scheme.

In addition to this, CAFRE (Greenmount Campus) continues to provide education, advice and ongoing support in relation to organic farming. It also develops and tests new technologies appropriate to the local organic sector.

Development of Tullaghoge Fort

Mr McGlone asked the Minister of Agriculture and Rural Development to detail the support that her department will make available, to assist the efforts being made by Cookstown District Council and other organisations to develop and improve Tullaghoge Fort, the inauguration site for the O'Neill's of Ulster.

(AQW 319/08)

Ms Gildernew: The site is currently owned by the Department of Agriculture and Rural Development.

The monument is held in Guardianship by DOE and is also scheduled for protection under the Historic Monuments and Archaeological Objects (NI) Order 1995.

DOE is in the process of acquiring the site from DARD, to assist the protection and management of the site, and has been working with Cookstown District Council to facilitate recent Flight of the Earls events held at this monument.

Any potential development activity in respect of the Fort can only be undertaken with Environment & Heritage Service approval.

In that context, it may be possible for Cookstown District Council, as part of a council cluster/Local Action Group delivering rural development funding under the NI Rural Development Programme (NIRDP) 2007-13, to consider funding the development of Tullaghoge Fort.

There are specific measures in the NIRDP for conservation and upgrading of the rural heritage as well as for the development of tourism and recreation facilities. The council cluster/Local Action Group will need to consider if this is a strategic priority for the area to determine potential access to funding.

Deliberate Introduction of Tuberculosis or Brucellosis to Livestock

Mr McNarry asked the Minister of Agriculture and Rural Development to detail the number of ongoing fraud cases that involve the suspected deliberate introduction of tuberculosis or brucellosis to livestock.

(AQW 407/08)

Ms Gildernew: There are no ongoing fraud cases that involve the suspected deliberate introduction of tuberculosis or brucellosis to livestock.

The Department of Agriculture and Rural Development are however withholding disease compensation from a number of farmers for alleged breaches of legislation. Some of these cases are currently subject to investigation.

CULTURE, ARTS AND LEISURE

Funding for Karate Sports

Mr Shannon asked the Minister of Culture, Arts and Leisure how much financial assistance has been made available for karate sports, and in particular Taekwondo, in Northern Ireland in each of the last five years. (AQW 207/08)

The Minister of Culture, Arts and Leisure (Mr Poots): Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of financial assistance to sports organisations. SNI has made the following awards to Karate and Taekwondo in Northern Ireland over the last five years:

Financial Years	Karate		Taekwondo	
	Lottery	Exchequer	Lottery	Exchequer
2003/04	0	9,350	0	18,811
2004/05	1,400	0	0	0
2005/06	6,500	0	0	7,645
2006/07	2,800	0	6,400	32,239*
2007/08	0	0	0	0
Totals	10,700	9,350	6,400	58,695

*Relates to three-year period 2006-2009

In addition to the financial assistance from SNI, the Department for Social Development has provided the following funding under the Local Community Fund to Cross Glebe Shotokan Karate Club in the Coleraine area:

2003/04	£15,950
2006/07	£11,000

It is not possible to ascertain specifically if any financial assistance was allocated to Further Education Colleges by the Department for Employment and Learning on karate sports or on Taekwondo in any of the last five years. Data submitted by the colleges does not allow for the identification of this particular provision.

Northern Ireland Library Authority

Mr Shannon asked the Minister of Culture, Arts and Leisure to explain how the membership of the Northern Ireland Library Authority will reflect fully the democratic, regional and demographic situation. (AQW 210/08)

Mr Poots: Members of the Board of the new Library Authority will be appointed on merit following an open competition. Members will be chosen on the basis of the skills and expertise necessary to do the job.

On the basis of the guidance of the Office of the Commissioner for Public Appointments the principles of equality of opportunity will be inherent in the competition and I will ensure that my Department takes appropriate action to attract suitable candidates from all sections of Northern Ireland society.

Requests for Funding

Mr Storey asked the Minister of Culture, Arts and Leisure, pursuant to his answer to AQW 91/07, if he will meet with organisers of (a) the Independent Orange Order 12 July celebrations; (b) the annual Sham Fight of Scarva; and (c) the Annual Royal Black Institution Black Saturday celebrations, with a view to extending departmental funding to include these events. (AQW 211/08)

Mr Poots: I will give consideration to all requests for meetings from any organisation and respond accordingly.

Libraries Bill

Mr Shannon asked the Minister of Culture, Arts and Leisure whether the delay in establishing the Education and Skills Authority until April 2009 has implications for the Libraries Bill, and to detail these. (AQW 212/08)

Mr Poots: No. The delay in the establishment of the Education and Skills Authority has no direct implications for the Libraries Bill.

Single Library Authority

Mr Shannon asked the Minister of Culture, Arts and Leisure to comment on his plans to establish a quango for libraries in Northern Ireland, if an aim of the Review of Public Administration was to reduce the number of quangos. (AQW 213/08)

Mr Poots: The NI Executive approved my proposal for a single Library Authority at its meeting on 7 June 2007 and on 19 June the Assembly agreed that the draft legislation could go to the Culture, Arts and Leisure Committee for scrutiny.

The Review of Public Administration had a number of aims amongst which was the desire for high-quality public services accessible to all. The consultation on the Review proposed a two-tier model with a regional tier encompassing the Assembly, government

departments, and regional authorities, which would focus on policy development, setting standards and service delivery.

The establishment of a single Library Authority creates a new non-departmental public body in this regional tier to replace the existing 5 Library Authorities. This will lead to improved service delivery, clearer accountability and, amongst other things, more opportunities for integration and partnerships across the public, community and voluntary sectors.

Rally Ireland in 2007

Mr Elliott asked the Minister of Culture, Arts and Leisure to detail the support he is giving to Rally Ireland in 2007. (AQW 265/08)

Mr Poots: The Department of Culture, Arts and Leisure (DCAL) has provided £16,685.21 to Rally Ireland to cover the cost of producing a business case for the 2007 World Rally Championship event and £200,000 to cover Northern Ireland's proportion of the cost of preparatory work for the event.

From 1 April 2007 Northern Ireland's funding for Rally Ireland will be provided through Sport Northern Ireland (SNI). It is expected that SNI will provide Rally Ireland with £696,955 for its 2007 event.

Fish Stocks

Mr McKay asked the Minister of Culture, Arts and Leisure to list each occasion upon which (i) Killylane Reservoir; (ii) Altnahinch Reservoir; and (iii) Dungonnell Reservoir were stocked, and the number of fish that

were put into each reservoir, in each of the last two years. (AQW 404/08)

Mr Poots: The stocking regime for these fisheries is set out in the Table below. Dungonnell Reservoir is operated as a wild fishery and is only occasionally stocked as there is a natural recruitment of wild trout.

Killylane and Altnahinch Reservoirs will have further stockings shortly. The Department's policy is to stock its fisheries on a regular basis but this is governed by operational matters at the Department's fish farm and water temperature effects on fish growth. These factors have affected the regularity of stocking at these fisheries.

EDUCATION

Priory Integrated College

Mr B Wilson asked the Minister of Education if, in light of the increased enrolment at Priory Integrated College, she is able to give approval for building to commence at the site of the new school. (AQW 6/08)

The Minister of Education (Ms Ruane):

Following a review of previously announced capital schemes in planning, the capital project for Priory Integrated College, Holywood was put on hold pending further examination of the proposed scheme with the South Eastern Education and Library Board. The school's enrolment is a factor to be taken into account as well as the sustainability of the projected enrolment of the school, enrolment trends for the area, and the potential implications of these trends for the scheme. I expect to be able to provide confirmation of the position on the scheme shortly.

TROUT STOCKINGS

Altnahinch				Killylane				Dungonnell			
2006		2007		2006		2007		2006		2007	
Date	No.	Date	No.	Date	No.	Date	No.	Date	No.	Date	No.
27 Jan	800†	12 Jan	1,800	15 Feb	1800	24 Jan	1800	21 Feb	700	2 Mar	900
3 Feb	800†	20 Apr	1,800	27 Mar	1000	8 Mar	900			22 Jun	600
14 Mar	700†	18 May	900	23 May	1000	19 Apr	1800				
26 May	1000†	1 Jun	900	7 Jul	800	23 May	900				
7 Jul	800			20 Jul	800	27 Jun	900				
25 Jul	800			25 Jul	800						
25 Aug	500			8 Aug	800						
Total	5400		5400		7000		6300		700		1500

† Rainbow trout

Centre of Excellence for Autism at Middletown

Mr McCallister asked the Minister of Education to detail the organisations with experience of working with those with Autistic Spectrum Disorder that were consulted about the Centre of Excellence for Autism at Middletown; and what was the advice received from Autism NI (PAPA) in relation to this issue. (AQW 29/08)

Ms Ruane: In December 2002 the views of the Chairperson and Chief Executives of the following organisations, with experience of working with children with Autistic Spectrum Disorder (ASD), were sought: the Education and Library Boards; the Health and Social Services Boards and Trusts; the Council for Catholic Maintained Schools; the Northern Ireland Council for Integrated Education; and Comhairle na Gaelscolaíochta. In addition views were sought of the Principal Educational Psychologists and Special Education Officers of the Education and Library Boards. The views of a range of similar organisations were sought by the Department of Education and Science.

In August and September 2007 two stakeholder consultations were held at the Middletown Centre for Autism to canvass opinion about the building and refurbishment project. The following organisations, with experience of working with children with ASD, were invited to attend:

National Autistic Society, Autism NI (PAPA), Parents Education as Autism Therapists, Special Provision for the Education of Autistic Children, Disability Action, Mencap, the Chief Executives of each of the Education and Library Boards, Northern Ireland Commissioner for Children and Young People (NICCY), NICCY Youth Panel, Council for Catholic Maintained Schools, Northern Ireland Council for Integrated Education, Comhairle Na Gaelscolaíochta, Association of Teachers and Lecturers, Irish National Teachers Organisation, National Association of Head Teachers, National Association of Schoolmasters Union of Women Teachers, Ulster Teachers Union, Inspection Services Branch from the Department of Education, Special Standing Conference, Camphill Community Glencraig, Appleby Trust, Allied Health Professionals from the Department of Health and Social Services, Lisanally Special School, Sperrinview Special School, Roddensvale Special School, Clifton Special School, Harberton Special School, Irish Autism Action, Irish Society for Autism, ASPIRE, Irish Progressive Association for Autism, St Patrick's College of Education, Association of Community and Comprehensive Schools, Catholic Primary Schools Management Association, Church of Ireland Board of Education, An Foras Patrúnachta, Educate Together, Irish Vocational Educational Association, Joint Managerial Body, National Association of Boards of

Management in Special Education Schools, Secondary Education Committee, National Parents Council (Post Primary), National Parents Council (Primary), Association of Teaching Sisters, Association of Secondary School Teachers in the North of Ireland, Irish Schoolheads Association, Irish National Teachers Organisation, Irish Principals Network, National Association of Principals and Deputy Principals, Teachers Union of Ireland, Holy Family Special School and St Brigid's Special School.

Following the appointment of the Board of Directors, the Chief Executive Officer, and some of the senior management team, the Middletown Centre for Autism is planning an extensive consultation exercise for later this year. This will include those involved with children and young people with autism within the public, private and voluntary sectors. The purpose of this consultation is both to inform and invite comments regarding how the proposed services should be delivered by the Centre. The exercise is also designed to seek views in relation to the expectations of the Middletown Centre. The outcome of the consultation exercise will be to inform future developments at the Centre.

With regards to advice received from Autism NI (PAPA) on this issue, when the plans to open a Centre of Excellence for Autism in Middletown were first announced in 2002, they released a statement saying that:

'It is a milestone in the campaign for government recognition of the specialist needs of children challenged with the social, communication and behavioural difficulties associated with Autism.

The development of the Centre of Excellence provides a tremendous opportunity to make a wide range of interventions known to be effective in ameliorating the long-term effects of Autism, more accessible to the wider community.

PAPA, the Autism Charity for the North of Ireland and Donegal, believes that the Centre of Excellence will act as a catalyst for the enhancement of awareness, expertise and research activity regarding Autism throughout the island of Ireland. We look forward to playing our part and working with the Education departments, North and South, to ensure that the Centre of Excellence for Autism is second to none'

On the 18th January 2007 Autism NI (PAPA) addressed the Joint Committee on Education and Science at Leinster House in Dublin. In her address the Chief Executive referred to the Middletown Centre for Autism and highlighted the need to 'support a cross-border initiative to address the All-Ireland identification and sharing of best practice across all sectors'. She also emphasised the importance of ensuring 'effective representation of the Voluntary Sector in any strategy'.

At the stakeholder consultation meeting in August 2007 held to consider the building and refurbishment programme, Autism NI (PAPA) representatives provided a positive contribution to the discussion.

Suspension of Members of the South Eastern Education and Library Board

Mr B Wilson asked the Minister of Education if she will outline when she intends to lift the suspension imposed on the members of the South Eastern Education and Library Board. (AQW 88/08)

Ms Ruane: In the interests of local accountability I would be keen that the members of the SEELB Board take up their former responsibilities. However, it would be essential to ensure that there would be no return to the difficulties which the Commissioners inherited when they were appointed in July 2006 and that the stability which has since been achieved is sustained. I am therefore arranging to meet with a cross-section of Board members to explore their readiness to take up their former responsibilities and to deliver those effectively. That meeting will help inform decisions on how best to move forward.

GCSE and A-level Courses

Mr Simpson asked the Minister of Education what analysis she has made of GCSE and A-level courses, with a view to ensuring that Northern Ireland's education system creates a highly skilled workforce. (AQW 190/08)

Ms Ruane: New A-level specifications have been accredited for first teaching from 2008 and the Council for the Curriculum, Examinations and Assessment (CCEA), in its capacity as the regulator of qualifications here, is consulting on draft criteria which will be used in developing revised GCSE specifications to be introduced for first teaching from 2009/10.

Revised A-level and GCSE provision will take account of the introduction of the revised curriculum in schools and reflect the breadth of learning that is required by the Entitlement Framework.

The Entitlement Framework will guarantee all pupils access to a greater range of vocational courses, equipping them with the professional and technical skills that business and industry needs. Pupils will be able to access courses appropriate to their individual needs, interests and aspirations, providing a wider choice at age 14 and an even wider choice at age 16.

An individual school's curricular offer will be determined at local level, by schools discussing with each other, with their local FE colleges, with employers

and the local community what the range of provision should be.

Creationism

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 637/07, if she would outline the nature of the scope provided by the science curriculum for pupils to explore other views about how the world came into existence.

(AQW 208/08)

Ms Ruane: The Department of Education does not tell teachers how to teach. The revised curriculum sets out the statutory minimum to be covered and the learning outcomes to be focused on. It provides greater flexibility for teachers to tailor provision for their pupils and greater opportunities for creationist views to be explored. There are areas other than science in which these could be explored, for example, Religious Education.

Creationism

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 337/07, to comment on whether her department was informed about discussions that the Council for Curriculum, Examinations and Assessment (CCEA) has held with interested parties in relation to the teaching of (i) evolution; (ii) creationism; and (iii) Intelligent Design, in schools in Northern Ireland, and to detail the recommendations made by CCEA to her department following these discussions. (AQW 215/08)

Ms Ruane: In carrying out its statutory duty to advise on curriculum matters, CCEA met with interested parties about these areas. Departmental officials were aware of the meetings, and the position remains that the revised curriculum provides the flexibility for suitable teaching opportunities to explore the theories of evolution, creationism and Intelligent Design as appropriate.

Youth Outreach Work

Mr W Clarke asked the Minister of Education what plans she has to increase expenditure on youth outreach work, to be delivered on the ground, as a means of addressing the rise in anti-social behaviour. (AQW 229/08)

Ms Ruane: The Department allocates an overall budget of approximately £32 million for youth services. Of that, £1.82 million has been allocated in 2007-08 for outreach and detached youth workers.

The youth sector has an important role to play in helping to address issues of young people involved in anti-social behaviour. However, it is only one of a number of agencies and services dealing with this issue.

In recent years, the Department has earmarked additional resources to provide for outreach workers in each education and library board area. Over the next few months, the Department will be developing 'Priorities for the Youth Service' which will identify the priorities for the sector, and help determine any additional resources required to deliver front line youth services, such as outreach work. We will be in a better position to determine plans for expenditure when this work is complete.

It is essential however that the resources currently available for outreach are prioritised according to need. Therefore, I have asked departmental officials to re-examine, with colleagues in each education and library board, the deployment of outreach workers in areas of objective need.

Teachers' Pay and Pensions Branch

Mr Durkan asked the Minister of Education to detail the number of staff working in Teacher's Pay and Pensions Branch in Waterside House, Derry/Londonderry, who are currently on the Civil Service transfer list; and the number who have been waiting to be transferred for longer than 12 months.

(AQW 340/08)

Ms Ruane: A total of 130 staff work in Teacher's Pensions, Pay and Administration Branch in Waterside House, Derry. Of these 64 are currently on the Northern Civil Service Central Transfer List (CTL); 58 of whom have been waiting to be transferred for longer than 12 months.

EMPLOYMENT AND LEARNING

Belfast Metropolitan College

Ms J McCann asked the Minister for Employment and Learning, in respect of the Whiterock campus of the Belfast Metropolitan College, (a) why no full-time co-ordinator is employed at the campus; (b) why no co-ordinator has been appointed to run the college for the last 2 years; and (c) what management structures are in place to run the college.

(AQW 222/08)

The Minister for Employment and Learning (Sir Reg Empey): I understand that some three years ago the then Belfast Institute of Further and Higher Education introduced management changes to its Whiterock

campus, to bring it into line with arrangements at the Institute's other sites. These changes provide for a line management structure to oversee academic and support services.

As a result of these changes, Whiterock has been managed on the same basis as all other sites in the former Belfast Institute, now part of the new Belfast Metropolitan College.

Belfast Metropolitan College

Ms J McCann asked the Minister for Employment and Learning to outline plans for the long-term future of the Whiterock campus of the Belfast Metropolitan College; and whether there are plans to close it in the near future.

(AQW 223/08)

Sir Reg Empey: Further Education Colleges in Northern Ireland are autonomous organisations and their Governing Bodies determine how best to utilise their capital assets.

The newly appointed Governing Body for Belfast Metropolitan College will wish to consider all aspects of the College's estate, but, I understand that it has not, to date, made any decision regarding the retention or disposal of the Whiterock campus.

Belfast Metropolitan College

Ms J McCann asked the Minister for Employment and Learning to detail the number of full-time; and part-time courses being delivered at the Whiterock campus of the Belfast Metropolitan College; and to list all courses delivered at the campus.

(AQW 224/08)

Sir Reg Empey: Belfast Metropolitan College has not yet completed enrolment for the 2007/08 academic year. The numbers enrolling for any particular course will determine whether that course is viable. Therefore, it is not yet possible to provide final details of provision at any particular campus of the College. However, during the 2006/07 academic year there were 7 full-time and 65 part-time courses delivered at the Whiterock campus.

I have attached, at Annex A, a full list of the courses that were delivered at the campus during the 2006/07 academic year.

Annex A

Courses delivered at Whiterock campus during 2006/07

- Hairdressing Level 1
- Beauty Therapy (Levels 1, 2 and 3)
- NVQ Beauty Therapy
- NVQ Beauty Therapy (Level 2)

- NDLP Beauty Therapy (Level 2)
- International Hairdressing & Beauty Therapy
- Hairdressing (Levels 2 and 3)
- NDLP Hairdressing (Level 2)
- NVQ Nail Services (Level 2)
- Spanish Level 1
- Mathematics
- St Tropez Tanning Course
- Brazilian Waxing
- Motor Vehicle Maintenance
- Woodwork Special Needs
- Engineering
- Basic Cutting
- Cutting
- Text & Word Processing Stage 1
- Text/Word Processing (Levels 1,2 and 3)
- Audio Transcription 1
- Special Needs Computers (OCR Entry Level)
- Special Needs/Beginners Computers
- OCR Text and Audio Transcription (Level 2)
- Audio Stage 3
- SAGE Payroll
- Supported Skills
- European Computer Driving Licence
- Sports Massage & Injury Prevention
- Computerised Accounts SAGE (Levels 1, 2 and 3)
- Chemistry
- Biology
- History
- English Literature
- Occupational Studies (Single and Double Award)
- NVQ Level 1 Wood Occupations
- NVQ Level 1 Catering
- Construction & Catering
- NVQ Level 1 Food Preparation
- Occupational Studies Hair and Beauty

Belfast Metropolitan College

Ms J McCann asked the Minister for Employment and Learning for a breakdown of the number of full-time and part-time students attending courses at the Whiterock campus of the Belfast Metropolitan College. (AQW 225/08)

Sir Reg Empey: Belfast Metropolitan College has not completed enrolment for the 2007/08 academic year. Therefore, final figures for the number of full time and part time students are not yet available.

However, during the 2006/07 academic year there were 112 full-time and 769 part-time students enrolled on courses at the Whiterock campus.

Student Bursaries

Mr Shannon asked the Minister of Employment and Learning to detail (i) the number of applications for a bursary for university and/or college, broken down by Education and Library Board area, for the last year; and (ii) the number of these that were successful.

(AQW 242/08)

Sir Reg Empey: For academic year 2006/07, the total number of applications for a higher education bursary/maintenance grant, including successful applications, is as set out in the table below:

Education and Library Board	Total Applications	Successful Applications
Belfast	2,556	2,409
North Eastern	3,503	3,296
South Eastern	3,331	3,135
Southern	4,247	3,942
Western	4,596	4,358
	18,223	17,140

Student Bursaries

Mr Shannon asked the Minister for Employment and Learning to detail the number of student bursaries that have not been paid out for this year, broken down by Education and Library Board. (AQW 243/08)

Sir Reg Empey: For the current academic year (AY) 2007/08, no higher education bursaries/ maintenance grants have been paid to date. Payments are released to the student in three instalments throughout the year, with the first instalment due for release in October 2007. The table below sets out details of total applications received to date and a breakdown of successful and unsuccessful applications.

Education and Library Board	Total Applications	Successful Applications	Unsuccessful Applications
Belfast	2,198	2,139	59
North Eastern	2,974	2,905	69
South Eastern	2,706	2,554	152
Southern	3,771	3,529	242
Western	3,692	3,457	235
	15,341	14,584	757

Independent Students

Mr Spratt asked the Minister for Employment and Learning if he will define the term ‘independent student’; and to outline what additional financial support is available to those categorised as an ‘independent student’ in third level education. (AQW 276/08)

Sir Reg Empey: For student support purposes, the definition of an independent student includes, amongst others, a person who on the first day of the academic year falls within one of the following categories: is over 25; married or in a civil partnership; has no living parents; or has supported himself/herself for at least three years.

A full list of categories is contained in paragraph 2 of Schedule 5 to the Education (Student Support) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 195), which is available in the Assembly Library.

Eligible independent students may be entitled to additional supplementary grants such as adult dependants’ grant, parents’ learning allowance and childcare grant.

University Enrolment

Mr Spratt asked the Minister for Employment and Learning to detail the number of students entering the first year of undergraduate degree courses in Northern Ireland; the number of these that are from (i) Northern Ireland; (ii) elsewhere in the United Kingdom; (iii) the Republic of Ireland; and (iv) outside the British Isles. (AQW 354/08)

Sir Reg Empey: First year undergraduate degree enrolments at Northern Ireland institutions by domicile 2005/06

NI	Elsewhere in the UK	Republic of Ireland	Outside the British Isles	Total
11,185	110	665	205	12,165

Source: Higher Education Statistics Agency (HESA) & Further Education Statistical Record (FESR)

Note: Figures are rounded to the nearest 5. Figures for the 2006/07 academic year will not be available until early 2008.

ENTERPRISE, TRADE AND INVESTMENT

Invest NI

Mr Hamilton asked the Minister of Enterprise, Trade and Investment to detail the locations of the 32

acres of land held by Invest NI in the Ards Borough Council area. (AQW 307/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): Invest Northern Ireland holds land at 3 locations in the Ards Borough Council area.

The landholding at Ballyharry Business Park is 21.40 acres, at Corry Street/Forde Street it is 5.65 acres and at Jubilee Road Industrial Estate the holding is 4.45 acres.

Visitors’ Centre at the Giant’s Causeway

Mr O’Loan asked the Minister of Enterprise, Trade and Investment, prior to his announcement of 10 September 2007, what was his assessment of the private sector proposal for a Visitors’ Centre at the Giant’s Causeway, with specific reference to the provision of a world-class facility, the necessity for which has been agreed. (AQW 324/08)

Mr Dodds: Prior to 10 September 2007, I was aware that a private sector planning application for a substantial visitor centre proposal was under consideration by the Planning Service. My statement of 10 September 2007 indicated that further expenditure on the public sector proposal would not, in the circumstances, be a prudent use of taxpayers’ money. It would require some £1m further expenditure to bring the public sector proposal to contract stage. My Department intends to meet with the private sector developer shortly to discuss his proposal and will keep the Department’s position under review in light of developments.

Visitors’ Centre at the Giant’s Causeway

Mr O’Loan asked the Minister of Enterprise, Trade and Investment to outline the role and status of his department in relation to the development of a Visitors’ Centre at the Giant’s Causeway; and, given that a grant of planning approval gives no guarantee that the approved development will be built, to state the reasons for his decision to withdraw his department’s financial support for the public sector scheme on the basis of a likely planning approval for a private sector visitors’ centre. (AQW 326/08)

Mr Dodds: As Minister responsible for tourism, I wish to see the delivery of a facility that does justice to the importance of the Giant’s Causeway as a heritage and tourism asset. DETI has sought to advance that objective since 2003, when direct rule Ministers announced Government involvement, effectively as ‘developer of last resort’.

In pursuance of my duty as Minister to ensure the prudent use of taxpayers’ money, I took the decision to suspend further expenditure on the Government’s

proposal, in the circumstances created by Minister Foster's statement of 10 September. I will continue to monitor developments and will keep the Department's position under review in light of developments.

Regional Tourism Partnerships

Dr Farry asked the Minister of Enterprise, Trade and Investment what assurances he will give on the future funding of regional tourism partnerships, following the end of the 2007/08 financial year.
(AQW 350/08)

Mr Dodds: The Northern Ireland Tourist Board (NITB) is fully committed to regional development as outlined in the Strategic Framework for Action (2005 – 2008). Local delivery and development of visitor services and servicing is a key element of raising the profile of the tourism industry across Northern Ireland and providing visitors with the quality of services and facilities they want and need.

In the current financial year, £500,000 has been allocated from the agency's core budget to Regional Tourism Partnerships (RTPs) to assist in the delivery of aspects of regional development. Any further bid for funding will be considered with other requests as part of the Comprehensive Spending Review.

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of client companies that Invest NI has on its database.

(AQW 366/08)

Mr Dodds: On 25 September 2007, Invest NI had 2,509 businesses recorded as clients on its database.

Invest NI

Mr McCallister asked the Minister of Enterprise, Trade and Investment to detail the number of visits organised by Invest NI for inward investors in the South Down area, in each of the last five years.

(AQW 367/08)

Mr Dodds: From 2002/03 to 2006/07, the total number of inward visits to South Down in each year were as follows:

2002/03	2
2003/04	1
2004/05	0
2005/06	0

2006/07	2
Total visits	5

The content of a visit programme, the locations chosen to visit and ultimately the investment decision rests solely with the prospective investor.

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of (i) client executives; and (ii) staff, that are currently employed by Invest NI.
(AQW 368/08)

Mr Dodds: At 31 August 2007, Invest NI employed 590 staff (572 Full-Time Equivalent).

Some 268 staff are in direct client-facing roles. This is made up of 165 client executives and 103 programme executives delivering specialist advice and programmes in areas of research and development, process and technology, trade and export promotion, and business improvement.

For completeness, of the remaining staff, 199 are engaged in activities with some client interfaces and/or providing support for client-facing activities, and 123 staff are in corporate services functions.

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of staff currently employed by Invest NI, who are based overseas.

(AQW 369/08)

Mr Dodds: Invest NI employs twenty-five staff based in overseas offices (i.e. outside Northern Ireland). Seven of these staff are Invest NI employees recruited in Northern Ireland and temporarily relocated to the overseas offices to fulfil specific roles.

The other eighteen staff are locally engaged personnel, recruited on terms and conditions appropriate to the local market.

VAT-Registered Businesses

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of VAT-registered businesses in Northern Ireland, broken down by district council area, in the last year. (AQW 398/08)

Mr Dodds: The following table presents the latest available information (March 2007) regarding the number of VAT Registered businesses by district council in Northern Ireland.

NUMBER OF VAT REGISTERED BUSINESSES BY DISTRICT COUNCIL AREA

District Council Area	Number of VAT registered Businesses
Antrim	1,740
Ards	2,215
Armagh	2,795
Ballymena	2,410
Ballymoney	1,305
Banbridge	1,955
Belfast	6,365
Carrickfergus	565
Castlereagh	1,140
Coleraine	1,905
Cookstown	2,000
Craigavon	2,320
Derry	2,200
Down	2,445
Dungannon	2,925
Fermanagh	3,695
Larne	980
Limavady	1,195
Lisburn	3,195
Magherafelt	2,295
Moyle	765
Newry and Mourne	3,960
Newtownabbey	1,530
North Down	1,565
Omagh	2,900
Strabane	1,770
Northern Ireland	58,135

Note: All figures have been rounded to the nearest 5

Source: Inter Departmental Business Register, March 2007

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of companies that have accessed Invest NI's website in the last year.
(AQW 399/08)

Mr Dodds: From September 2006 to August 2007, there have been 160,596 visits to the Invest NI website which is an average of 13,383 per month. This represented 324,649 page views. It is not possible to identify

individual companies as websites only record the digital footprint of those visiting.

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of companies that have downloaded information from Invest NI's website in the last year.
(AQW 400/08)

Mr Dodds: It is not possible to identify individual companies downloading documents, as websites only record the digital footprint of those visiting. However, since an upgraded Webtrends package was introduced in May 2007, 9,104 Portable document format (PDFs) have been downloaded from the Invest NI website.

Giant's Causeway Visitors' Centre

Mr McKay asked the Minister of Enterprise, Trade and Investment if he will provide a comprehensive breakdown of how the £1.2 million expenditure to date, on the proposal for a publicly-funded Giant's Causeway Visitors' Centre, has been spent.
(AQW 425/08)

Mr Dodds: The Government proposal for a Visitor Centre at the Giant's Causeway has incurred the following expenditure to date:

2003-04	£129k	Options Appraisal of possible locations and scale of facilities.
2004-05	£156k	Options Development including the competition briefs and legal structures.
2005-06	£151k	Architectural and Interpretative Design Competitions.
2006- to date	£756k	Detailed Development of the architects winning design.

These total £1.192m. It would require some £1m further expenditure to bring the public sector proposal to contract stage.

ENVIRONMENT**Sustainable Development - Resource Efficiency**

Mr P Ramsey asked the Minister of the Environment to explain the variables and methodology used to assess the resource efficiency of the Northern Ireland economy, in relation to the resource efficiency target referred to in the Sustainable Development Strategy for Northern Ireland.
(AQW 121/08)

The Minister of the Environment (Mrs Foster):

The resource efficiency target originated from the value calculated in the Northern Limits Report (NLR) published in February 2004. Among the variables considered were:

- The material intensity of goods and services;
- The energy intensity of goods and services;
- Dispersion of toxic materials;
- Durability and recyclability; and
- Service intensity of goods and services using the following calculation:

$$\frac{\text{Resources remaining in the community}}{\text{Resources consumed}} = \frac{\text{Resources consumed} - \text{waste}}{\text{Resources consumed}}$$

The eco-efficiency of Northern Ireland was calculated at 65%. The strategy target was to improve this to 85% by 2025

Pollution Enforcement Cases

Mr Storey asked the Minister of the Environment to detail the number of (i) private individuals; and (ii) businesses in Northern Ireland that have been prosecuted following incidents of pollution from (a) heating oil tanks; and (b) septic tanks; and the total amount paid in fines for each of these offences, in each of the last five years.

(AQW 124/08)

Mrs Foster: (a) The Department of the Environment does not hold statistics on pollution from heating oil tanks, only on oil pollution. Since 2001, the Department has taken 29 prosecutions for pollution incidents involving oil contamination by businesses. Fines totalling £31,050 have been imposed by the Courts in respect of 23 of those incidents. A further 3 incidents of oil contamination caused by private individuals have resulted in fines totalling £1,800.

(b) Since 2001, no cases have been taken against businesses in respect of septic tanks. One case has been taken against a private individual, for an incident involving pollution from a septic tank which resulted in a fine of £2000.

Fly Posting

Mr G Robinson asked the Minister of the Environment what plans she has to introduce legislation imposing stronger penalties for fly posting.

(AQW 133/08)

Mrs Foster: Flyposting is one of a number of issues presently under consideration by my Department as part of our work to bring forward stronger and more effective

legislation to improve local environmental quality. We are considering a number of options to allow more effective control of flyposting. It is our intention to consult on specific proposals as soon as possible.

Planning Applications

Mr P J Bradley asked the Minister of the Environment if she will undertake to review the status given to planning applications in (i) the Newry and Mourne District Council area; and (ii) the Banbridge District Council area, that were lodged in the Craigavon Divisional Planning Office, prior to the first date when the term 'premature to the pending Area Plan' was given as the reason for refusal. (AQW 144/08)

Mrs Foster: There is no reason at present why I should review the status of such applications. Prematurity in relation to the draft Area Plan is one of a number of material considerations to be assessed in arriving at a decision on an application. All applications are decided on their particular merits taking account of the nature of the development, planning policy, area plan designation and other considerations such as site characteristics, the relevant planning history, consultee advice, personal circumstances and any public representations. That said, Planning Service is currently holding applications which would otherwise be refused on the grounds of 'prematurity' following the recent judicial review judgement on the Strategic Environmental Assessment of other Area Plans. This is because there is a similar judicial review in relation to the draft Banbridge, Newry and Mourne Area Plan which will be heard in October 2007.

Dibney River

Mr Shannon asked the Minister of the Environment if she will carry out a survey of the Dibney River, to assess whether or not it has a high level of chemicals in the river and on the river-bed. (AQW 151/08)

Mrs Foster: My Department's Environment and Heritage Service (EHS) protects the aquatic environment through a variety of activities including targeted programmes to conduct water quality monitoring in waterways designated under the EC Freshwater Fish Directive (2006/44/EC). When I wrote to you about the Dibney River in July 2007, I advised you that this river does not have a large enough flow to be designated and monitored under this Directive. However I am pleased to confirm that it will be monitored chemically under the EC Water Framework Directive (2000/60/EC), commencing in 2008.

I also stated in my previous correspondence that, in a 1999 review of the river monitoring network, the

Dibney River was investigated for inclusion in the freshwater biological river monitoring programme. For health and safety reasons related to sampling access, the river was not added to the monitoring programme at that time, and as a result has not been monitored biologically. This situation has been reassessed recently, and a sampling point has been identified where biological sampling will begin in 2008.

I am aware that Down District Council and the Dibney River Conservation Trust have also been corresponding with EHS. EHS staff would be happy to meet with those concerned to discuss these issues in more detail.

Beach Quality

Mr W Clarke asked the Minister of the Environment what discussions she has had with her counterpart in the Republic of Ireland in relation to the development of a national standard of beach quality. (AQW 164/08)

Mrs Foster: I have not held any discussions with my counterpart in the Republic of Ireland on this topic. A beach award scheme, the Blue Flag Award, which is recognised internationally, currently exists and is administered in both Northern Ireland and the Republic of Ireland.

Written Driving Test

Mr Boylan asked the Minister of the Environment what plans she has to liaise with the Minister of Education to introduce the written driving test into post-primary schools. (AQW 200/08)

Mrs Foster: While there are at present no plans to introduce the written driving test into post-primary schools, you may be interested to know that my Department currently offers a driver training scheme to pupils in post-primary schools and students in further education colleges aged 17 to 18 years of age. Pupils receive a series of 12 driving lessons from an approved driving instructor. The Department pays 50% of the cost of the lessons, with pupils sharing the remainder of the cost. In 2006/2007, 539 pupils from 76 schools participated in the scheme.

A number of post-primary schools also timetable Road Traffic Studies (RTS) while others provide Motor Vehicle and Road User Studies (MVRUS) at GCSE level. My Department's Road Safety Education Officers actively promote the timetabling of these subjects and provide teacher training, teaching resources, advice and support. In 2007-08, around 175 schools will be timetabling RTS and 77 will be offering MVRUS.

Driving Lessons in Schools

Mr Boylan asked the Minister of the Environment what plans she has to liaise with the Minister of Education about the introduction of driving lessons into schools, in line with motorcycle lessons. (AQW 201/08)

Mrs Foster: My Department does not provide or make provision for motorcycle lessons in schools. A number of post-primary schools timetable Road Traffic Studies (RTS), a non-examination subject, and practical skills training in moped riding can form part of that course. Practical moped skills training is also one of the elements of the GCSE subject Motor Vehicle and Road User Studies (MVRUS). My Department's Road Safety Education Officers actively promote the timetabling of these subjects and provide teacher training, teaching resources (including a moped), advice and support. In 2007-08, around 175 schools will be timetabling RTS and of these 77 will be offering MVRUS. Off-road practical skills training is delivered by the teacher, usually in the school playground. This provides a basic introduction to road craft and is quite different from on-road motorcycle lessons provided by an approved instructor.

For several years my Department has been offering a driver training scheme to pupils in post-primary schools and students in further education colleges aged 17 to 18 years, with the agreement of the Department of Education and the Education and Library Boards. Pairs of pupils receive a series of 12 on-road driving lessons from an approved driving instructor. My Department pays 50% of the cost of the lessons and pupils pay the remainder. In 2006-07, 539 pupils from 76 schools participated in the scheme.

Recycling

Mr W Clarke asked the Minister of the Environment to provide details on (a) the amounts of paper/card and plastics that are being recycled for (i) 2005; (ii) 2006; and (iii) 2007; and (b) where these materials are being recycled. (AQW 228/08)

Mrs Foster: These details are recorded on a financial, rather than calendar, year basis. In 2004/05, 23,906 tonnes of paper and card and 1,712 tonnes of plastic were recycled. These figures rose to 65,568 tonnes for paper/card and 7,666 tonnes for plastic in 2005/06. The figures for 2006/2007 will be published later this year.

These materials are being recycled at a range of waste management facilities in the UK and beyond.

Environmental Protection Agency

Mr B Wilson asked the Minister of the Environment what is her assessment of Mr Justice Gillen's judgement of 7 September 2007, which indicated that there should be a separation between the Planning Service and Environment and Heritage Service; and of whether or not this would be resolved by the establishment of an independent Environmental Protection Agency. (AQW 234/08)

Mrs Foster: I note the ruling handed down by the court in respect of the Judicial Review of Strategic Environmental Assessments for the Draft Northern Area Plan and the Draft Magherafelt Area Plan. I will take time to carefully consider the judgment and its implications in consultation with our legal advisors.

Review of Planning Policy Statements

Mr Butler asked the Minister of the Environment if she will carry out a review of Planning Policy Statements relating to developments in existing urban areas, in light of the increase in planning applications for apartments. (AQW 237/08)

Mrs Foster: Strategic planning guidance in respect of housing development in urban areas is set out in the Regional Development Strategy and Planning Policy Statement 12 'Housing in Settlements'. Your question has been passed to me to answer.

Existing policy provisions related to the intensification of development within an existing residential area are currently being considered by a joint DRD and DOE group of officials.

In the meantime, the Minister for the Environment has asked all Planning Service staff to be reminded of the need to consider fully the impact on the established residential character when processing applications for new residential development. This was done in August 2007.

Dog Fouling

Mr Shannon asked the Minister of the Environment to detail the number of incidences of dog fouling, and the resulting number of prosecutions, broken down by district council area, in each of the last two years. (AQW 244/08)

Mrs Foster: My Department does not hold information on the number of incidences of dog fouling. However, information in relation to the number of Fixed Penalty Notices issued and the number of prosecutions taken in relation to dog fouling in each of the last two years is set out in the table below:

Council	No. of Fixed Penalty Notices issued for dog fouling		No. of Prosecutions for dog fouling	
	01/04/05 to 31/03/06	01/04/06 to 31/03/07	01/04/05 to 31/03/06	01/04/06 to 31/03/07
Antrim BC	2	1	0	0
Ards BC	14	5	0	0
Armagh City & DC	0	0	0	0
Ballymena BC	2	3	0	0
Ballymoney BC	0	0	0	0
Banbridge DC	0	2	0	0
Belfast CC	234	143	18	25
Carrickfergus BC	1	4	0	0
Castlereagh BC	3	2	0	0
Coleraine BC	10	10	1	0
Cookstown DC	1	0	0	0
Craigavon BC	5*	9	1*	0
Derry CC	0	0	0	0
Down DC	6	4	1	1
Dungannon & South Tyrone BC	0*	0	0*	0
Fermanagh DC	0	0	0	0
Larne BC	10	14	0	2
Limavady BC	2	0	0	0
Lisburn CC	2	1	0	0
Magherafelt DC	0	4	0	0
Moyle DC	1	0	0	0
Newry & Mourne DC	0	0	0	0
Newtownabbey BC	7	90	1	6
North Down BC	14	6	0	0
Omagh DC	0	0	14	0
Strabane DC	0	0	0	0
Totals	314	298	36	34

* Figures for period 01/11/05 to 31/03/06 only.

Planning Application Fees

Mr P J Bradley asked the Minister of the Environment to detail the fees received in respect of planning applications for the Newry and Mourne District Council area, that included in the refusal documentation a reference to, (i) the regulations pertaining to Planning Policy Statement 14: Sustainable Development in the

Countryside; or (ii) being premature to the outcome of the pending Banbridge and Newry and Mourne Area Plan 2015. (AQW 251/08)

Mrs Foster: The total fees paid for applications in the Newry and Mourne Area where draft PPS14 was a reason for refusal were £3,000. I regret that at present I do not have a figure for the planning fees paid in respect of planning applications where prematurity was a reason for refusal due to the larger number of cases affected. It is considered that the time and staff resources involved in obtaining from Planning Service records the information requested by you on prematurity would result in disproportionate costs for the Planning Service.

Review of Public Administration

Mr McGlone asked the Minister of the Environment to advise on the progress towards ensuring that new development plans are prepared using boundaries 'coterminous' with the proposals emanating from the Review of Public Administration. (AQW 252/08)

Mrs Foster: As you are aware, I am at present conducting a review on the future shape of local government in Northern Ireland. In taking the review forward, consideration will be given to what local government is expected to deliver in the context of a fully-functioning devolved Assembly and Executive and, in the context of the strategic direction of the RPA, to consider the number of councils and functions that would be required. As part of my deliberations on this I am considering the role of planning and where it sits within this, including the function of producing development plans. An announcement will be made on the outcome of the review later this year.

Planning Applications

Mr McGlone asked the Minister of the Environment to detail the number of planning applications for housing that have been in the system, undetermined, for more than the 17 week target period set for such applications. (AQW 254/08)

Mrs Foster: The Department's Public Service Agreement target relating to application processing times changed with effect from 1 April 2006 and is now as follows:

'By 31 March 2008 to improve the time taken to process planning applications to decision or withdrawal against 2004/05 performance, as follows:

- 60% of Major Applications processed in 23 weeks (25 weeks 2004/05) – an 8% improvement);
- 70% of Intermediate Applications processed in 31 weeks (33 weeks 2004/05) – a 6% improvement;

- 80% of Minor Applications processed in 18 weeks (21 weeks 2004/05) – a 14% improvement.

Housing applications may be classified as major or intermediate. Applications for single houses including those in rural areas are classed as intermediate, while other housing proposals including housing developments in urban areas are classed as major.

At 17 September 2007, the number of applications for housing in the intermediate category which had been outstanding for more than 31 weeks was 3,145. The number of applications for housing in the major category which had been outstanding for more than 23 weeks was 2,474.

Grouse Numbers

Mr Shannon asked the Minister of the Environment if her department has carried out a count of grouse on the moors in Northern Ireland; and, if so, to detail the results. (AQW 255/08)

Mrs Foster: A survey of all habitats in Northern Ireland suitable for Red Grouse was carried out in 2003/4. The results estimated the population to be between 202 and 220 breeding pairs. The full report of the survey can be found at www.ehsni.gov.uk/redgrousesurvey

I have no plans to replenish Northern Ireland's grouse moors with imported birds; however, a Species Action Plan (SAP) for Red Grouse is being produced and will be published in 2008.

Shortly after its publication, a Steering Group of delegates from Government and non-governmental organisations will be set up to take the SAP forward. This Group will consider the various options for increasing the Red Grouse population in Northern Ireland.

Christmas lights on the Windows of Vehicles

Mr Shannon asked the Minister of the Environment what action she is taking to address the use of Christmas lights on the windows of vehicles. (AQW 256/08)

Mrs Foster: I have no plans to introduce legislation to prohibit the use of Christmas lights on the windows of vehicles or to undertake a campaign to discourage their use. My Department's policy is to contribute to casualty reduction by organising advertising and information campaigns to address the main causes of road traffic deaths and serious injuries. There is no indication from data provided by the PSNI that the use of Christmas lights on the windows of vehicles is a key factor in road traffic collisions.

The Road Vehicles Lighting Regulations (NI) 2000 stipulate the lighting requirements on vehicles in

terms of front, rear and side lamps, reflectors, rear markings and devices etc. They do not deal specifically with lights fitted to vehicle windows. Regulation 30 prohibits the use of lamps that would cause undue dazzle or discomfort to other persons using the road.

Regulation 120 of the Motor Vehicles (Construction and Use) Regulations (NI) 1999 prohibits a person from driving, causing or permitting any other person to drive, a motor vehicle on a road if he is in such a position that he cannot have proper control of the vehicle or have a full view of the road and traffic ahead.

Enforcement of these regulations is a matter for the PSNI.

Grouse Numbers

Mr Shannon asked the Minister of the Environment what plans she has to replenish the grouse moors of Northern Ireland with grouse from Scotland or elsewhere. (AQW 257/08)

Mrs Foster: A survey of all habitats in Northern Ireland suitable for Red Grouse was carried out in 2003/4. The results estimated the population to be between 202 and 220 breeding pairs. The full report of the survey can be found at www.ehsni.gov.uk/redgrousesurvey

I have no plans to replenish Northern Ireland's grouse moors with imported birds; however, a Species Action Plan (SAP) for Red Grouse is being produced and will be published in 2008.

Shortly after its publication, a Steering Group of delegates from Government and non-governmental organisations will be set up to take the SAP forward. This Group will consider the various options for increasing the Red Grouse population in Northern Ireland.

Planning Applications

Mr Elliott asked the Minister of the Environment to detail the number of planning applications in the Fermanagh area that were recommended for approval by the case officer, but subsequently recommended for refusal by the internal planning group of the Divisional Planning Office in that area, in each of the last five years. (AQW 263/08)

Mrs Foster: The formation of a development control group opinion which is contrary to the initial recommendation of the case officer is not an unusual occurrence. The three members of the development control group, which always includes an authorised officer at senior or principal planner level, collectively contribute a greater degree of experience of policy and practice which is influential in reaching a corporate view.

The number of planning applications in the Fermanagh area that were recommended for approval by the case officer but subsequently recommended for refusal by the development control group of the Divisional Planning Office in that area in each of the last five years are as follows:

Case Officer Refusals for Fermanagh		
Year Application Received	No. of Case Officer Approvals	No. of subsequent Refusals by DC Group
2002	1098	56
2003	1409	51
2004	1769	209
2005	1850	237
2006	1444	83
2007 YTD	557	9

Source: MVM 2020 Planner

These figures have been extracted from a live dataset which is continuously updated and validated. They should therefore be regarded as indicative only at this point in time and should not be compared with any previous figures published by the Agency.

Development Plan Process

Mr McGlone asked the Minister of the Environment, in light of increased land costs and affordability issues, what steps he will take to speed up the development plan process to ensure the availability of land for development. (AQW 270/08)

Mrs Foster: Affordable housing issues and the recommendations for their resolution as set out in the Semple Review Report are being taken forward by a DSD-led Inter-Departmental Affordability Implementation Group chaired by the DSD Minister, Margaret Ritchie. The Department and Planning Service are represented on this Group.

There are a variety of factors contributing to rising land costs and affordability and the availability of housing land. Many of these factors are outside the direct control of the planning system and they are not solely the product of a slow development plan process or land supply issues.

While there already exists at least a five year supply of housing land in each District Council Area of Northern Ireland, the key issue is how this existing supply of land is made available for development.

With regard specifically to the development plan process, I am presently considering further reform of the planning system to identify areas where improvements

may be made and this includes speeding up the plan-making process.

Town Centre Living Initiative

Mr McGlone asked the Minister of the Environment to detail (a) the number of Town Centre Living Initiative applications made to Planning Service in the Cookstown area; and (b) the status of these applications, given previous agreement by Planning Service to prioritise such applications. (AQW 274/08)

Mrs Foster: Planning Service received 4 applications for developments in association with the Cookstown Town Centre Living Initiative / Living Over The Shops (LOTS) Initiative. Two of the applications submitted affect listed buildings and were accompanied by applications for listed building consent.

All the applications submitted were prioritised by Planning Service. The two applications affecting the listed buildings are still under consideration. Planning Service is currently liaising between the agent and EHS Protecting Historic Buildings on further information required.

The remaining two applications were submitted in the form of Certificates of Lawful Use for Proposed Development. One has been approved and was issued on 31st July 2007. The second was withdrawn and a planning application was submitted for the development on 14th August 2007.

This has been recommended for approval and will be presented to the Cookstown District Council Planning Meeting on 9th October 2007.

Planning Applications

Mr McGlone asked the Minister of the Environment to detail the process that will be put in place for dealing with planning applications that have been refused on the sole basis of prematurity to the relevant Area Plan. (AQW 275/08)

Mrs Foster: The current policy in relation to prematurity and emerging development plans is contained in the Joint Ministerial Statement (JMS) "Development Plans and the Implementation of the Regional Development Strategy" (31 January 2005).

However, because of the recent reserved judgement on the legal challenge to the Strategic Environmental Assessment (SEA) to the draft Magherafelt and Northern Area Plans and pending hearing on a similar challenge to the Banbridge and Newry & Mourne Area Plan, my Department considers it prudent to hold refusal decisions on those applications which have been determined under these draft Area Plans and also will be proposing

a deferral of all relevant refusal applications where plan prematurity is a potential reason for refusal until the final decision of the Court is known.

This decision will be reviewed following the final judgement in respect of the Strategic Environmental Assessments for the Draft Northern and Magherafelt Area Plans and if necessary new policy guidance will be issued.

High Hedges Legislation

Mr Shannon asked the Minister of the Environment to give a timescale for the introduction of legislation on high hedges. (AQW 279/08)

Mrs Foster: The Department confirmed in 2005, through public consultation, that the nuisance high hedge problem here is on a par with that in England and Wales where legislation is already in place and in operation to address the problem.

I wish to bring forward similar legislation as soon as possible, starting with a policy consultation on the detailed operation of the legislation. However, the timing will be subject to consideration of other competing priorities.

Motorcycle Track at Nutts Corner

Mr Burns asked the Minister of the Environment, pursuant to her reply to AQW 806/07, to outline whether the investigation into the potential breach of planning control which occurred during the construction of the motorcycle track at Nutts Corner has been completed; and, if so, what action will be taken against the owners of the land. (AQW 294/08)

Mrs Foster: Further to my Answer published in the Answers Booklet on 29 June 2007, I can confirm that the portacabin and signage have been removed from the site. The Department has been advised that there would be no more than 12 race meetings each year at this location. If this is the case, the use of the land for motorcycle racing would be deemed Permitted Development under the General Development Order and no action needs to be taken against the landowner. The Department will continue to monitor the situation to ensure the lawful use rights are not exceeded.

Noise Complaints

Mr Simpson asked the Minister of the Environment to detail the number of complaints about noise levels dealt with by her department, in each of the last two years. (AQW 365/08)

Mrs Foster: The Environment and Heritage Service is responsible for dealing with complaints about noise from certain industrial installations prescribed under Part A of the Pollution Prevention and Control Regulations (Northern Ireland) 2003 and for facilities covered by waste management licences. Two noise related complaints were received in 2006 and twelve so far in 2007.

Motor Homes

Mr Hamilton asked the Minister of the Environment to detail the number of motor homes that have been registered in Northern Ireland, in each of the last three years. (AQW 388/08)

Mrs Foster: The numbers of vehicles with the body type descriptor “motor home/caravan” registered in Northern Ireland in each of the last 3 years are:

01/09/2004 to 31/08/2005 = 519

01/09/2005 to 31/08/2006 = 575

01/09/2006 to 31/08/2007 = 649

Planning Applications

Mr McKay asked the Minister of the Environment what steps she will take to prevent the approval of planning applications for housing developments, when the necessary sewerage and drainage infrastructure is not in place. (AQW 426/08)

Mrs Foster: The provision of a means of sewerage and drainage disposal is a material planning consideration. My Department consults the relevant agencies with expertise in such matters and has regard to what they say as part of the planning application assessment process. In those circumstances where there is inadequate sewerage and drainage infrastructure or the prospect of it not being available in a reasonably short timescale, it will be necessary to provide a private treatment works. If this option is not available then planning applications may be refused on those grounds.

Giant's Causeway Visitors' Centre

Mr McKay asked the Minister of the Environment to comment on the recommendation referred to in a Department of Enterprise, Trade and Investment memo regarding the Giant's Causeway Visitors' Centre, dated 2 April 2007, which stated that “a recommendation to decline the application is expected to go to the Planning Service Management Board this week”. (AQW 471/08)

Mrs Foster: In reaching my view I had regard to all the material factors and it would not be appropriate for me

to comment on the content of a memo from the period before the devolved administration was established.

Motor Test Certificates

Mr Boylan asked the Minister of the Environment what progress has been made on the mutual recognition of the National Car Test (NCT) and Ministry of Transport (MOT) motor test certificates. (AQO 173/08)

Mrs Foster: There is no requirement for mutual recognition of vehicle test certificates between member states in the European Union, and I have no plans at present to bring forward such a proposal.

Although the underlying legislative requirements are the same, as set out in the relevant European directives, the vehicle testing regimes in Northern Ireland and the Republic of Ireland have developed differently. For example, the regulations that govern the standards that vehicles are tested to differ in certain respects. Test fees are also lower in Northern Ireland, and in the Republic there is no test for motorcycles.

However, the key difference is that vehicles in Northern Ireland are tested after four years and every year thereafter whereas in Ireland they are tested after four years and then every two years.

The longer interval between tests in the Republic of Ireland would represent a significant barrier to mutual recognition even if there were such a proposal on the table. For example, by encouraging motorists to go to the Republic of Ireland mutual recognition would undermine the demand for tests in Northern Ireland and therefore increase the unit cost for customers here.

More significantly, a recent report by the Department for Transport in GB indicated that a two-year interval between tests would mean more unroadworthy vehicles, more road traffic collisions attributable to vehicle defects, and ultimately more deaths and injuries on the roads.

Review of Council Boundaries and Functions

Mr McCarthy asked the Minister of the Environment to give a timescale for the announcement of the outcome of the current review of council boundaries and functions. (AQO 182/08)

Mrs Foster: The Executive initiated a review of local government aspects of the review of public administration on 5 July. The review has three strands; developing a shared vision for local government, revisiting decisions in relation to the number of councils, but limited to the three RPA options – that is 7, 11 or 15 and, finally, considering the functions that will transfer

to local government, again limited to those functions identified for transfer in the final RPA announcements.

The review is led by an Executive subcommittee, chaired by myself and comprising Ministerial colleagues from DFP, DRD, DSD and DHSSPS. That subcommittee has met twice.

As part of the review process, we are engaging with key stakeholders on all the issues within the review's terms of reference, and that process of engagement will continue throughout the review.

We intend to complete the review by this autumn, with a view to the Executive announcing its decisions to the Assembly and the public in December 2007.

Development Plans and the Implementation of the Regional Development Strategy

Mr D Bradley asked the Minister of the Environment if she will, in co-operation with the Minister for Regional Development, consider reviewing the joint ministerial statement of 31 January 2005, 'Development Plans and the Implementation of the Regional Development Strategy', with a view to allowing development to take place under the existing Newry and Banbridge area plan until such times as the new plan is ready for implementation. (AQO 134/08)

Mrs Foster: The joint ministerial statement (January 2005) provides policy guidance for the consideration of development proposals in the context of published draft area plans. In applying this guidance, the decision-maker, in deciding whether or not a particular proposal is premature, must have regard to a number of factors, including, for example, the status of the draft area plan, the time frame for its completion, as well as the implications for regional development Strategy (RDS). In those circumstances, the joint ministerial statement remains a relevant material consideration and I have therefore no proposal to consider its review.

Public Consultation

Mr Lunn asked the Minister of the Environment what arrangements she is making for public consultation on Executive and administrative decisions. (AQO 181/08)

Mrs Foster: When carrying out public consultation exercises on policy proposals and draft legislation the Department follows central guidance which has been issued across the Northern Ireland Civil Service by OFMdfM. In relation to consultation exercises carried out under Section 75 of the Northern Ireland Act 1998,

the Department follows guidance from the Equality Commission for Northern Ireland.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of the Environment whether any representations have been made by Ministers or Members of the Northern Ireland Assembly on behalf of Seaport Investments Ltd, in relation to the planning application for a Giant's Causeway visitor and study centre. (AQO 189/08)

Mrs Foster: No, neither I nor my Department have received representations from Ministers or Members of the Northern Ireland Assembly on behalf of Seaport Investments Ltd in relation to this application.

Draft Area Plans

Mr Kennedy asked the Minister of the Environment to give an update on the current status of the Armagh draft area plan and the Dungannon and South Tyrone draft area plan; and if she will give a likely timescale for a public inquiry into those plans. (AQO 158/08)

Mrs Foster: In the current business year Planning Service is giving priority to the preparation of the draft development plans for Antrim, Ballymena and Larne and for West Tyrone.

Since the publication of the Armagh Area Plan Issues Paper in April 2004, a significant amount of work has been carried out on the preparation of a draft plan. However, competing business priorities have resulted in a temporary redeployment of staff, primarily to assist in reducing the planning application backlog in the Craigavon divisional planning office. This will be reviewed before the end of this year. In the meantime, I regret that I am unable to provide a likely timescale for publication of the draft plan or for any subsequent stages in the plan preparation process.

It is not intended at the present time to begin work on a new Dungannon and South Tyrone area plan. This plan was adopted in March 2005 and will not reach its notional end-by date until December 2010.

Eastwood Envirowaste Facility

Mr Burns asked the Minister of the Environment to detail the tonnage of waste that is currently stored at the Eastwood Envirowaste facility, located at 18 Crosshill Road, Crumlin BT29 4BQ. (AQO 170/08)

Mrs Foster: There are currently 100 kilos of asbestos waste on site. 9.1 tons were sent to Scotland on Saturday 8 September 2007. As a result there are

four empty containers on site and these are due for removal.

There are approximately 8,000 tons of inert and reclamation material on site.

Northern Area Plan

Mr Neeson asked the Minister of the Environment, in light of the overturning of the Northern area plan, to detail how she plans to take forward strategic planning in that region. (AQO 179/08)

Mrs Foster: I have noted the judgement of the court in respect of the judicial review of the strategic environmental assessments for the draft northern area plan and the draft Magherafelt area plan. I have also noted that the court has given the parties a number of weeks to consider the issue of remedies. My Department is currently considering the judgement and its implications in consultation with our legal advisors. Until the issue of remedies has been determined the draft northern area plan and the draft Magherafelt area plan remain as material considerations in the determination of planning applications in their respective areas.

As Minister for the Environment I remain committed to the proper planning of the area covered by the draft northern area plan. I am giving further consideration to how this objective can best be carried forward in light of the court's decision.

Biodiversity and the Environment

Mr Shannon asked the Minister of the Environment what plans she has to work with the British Association for Shooting and Conservation on its 'Green Shoots' survey, in order to achieve maximum results for biodiversity and the environment in Northern Ireland. (AQO 203/08)

Mrs Foster: I am aware that my officials have had recent discussions with BASC with a view to building on the results of the 'Green Shoots' survey of its members in Northern Ireland through the development of projects at local level. I am encouraged by the desire of BASC members to build on these results and develop projects which would improve the biodiversity interest of lands which BASC members shoot over. I look forward to hearing of the success of those projects in due course.

Bonfires

Mr Butler asked the Minister of the Environment if she will consider introducing a bonfire policy, to ensure that anyone found burning toxic materials will be

prosecuted under European Union guidelines on waste pollution. (AQO 171/08)

Mrs Foster: I have no plans to introduce any new policy measures on bonfires. At present there are a range of legal controls available to enforcement bodies to deal with the illegal disposal of waste. These controls have been outlined in the Interagency Working Group Report on Bonfires, issued in 2004. Where evidence exists, prosecutions can already be taken by the relevant enforcement body under existing legislation.

FINANCE AND PERSONNEL

Special EU Programmes Body

Mr Hilditch asked the Minister of Finance and Personnel if he can confirm that the Special EU Programmes Body has (i) produced guidelines as to how district councils should form partnerships with each other for the delivery of PEACE III; and (ii) to detail how these have been communicated to relevant stakeholders. (AQW 245/08)

The Minister of Finance and Personnel (Mr P Robinson): The delivery mechanisms for Theme 1.1, *Building Positive Relations at the Local Level*, of the PEACE III programme will adopt a partnership approach with local authorities invited to take a leadership role in partnership with local stakeholders. The Special EU Programmes Body (SEUPB) has produced guidelines on the delivery of this theme. The guidelines encourage applications from self-defined cluster arrangements of councils until the new council areas under the Review of Public Administration are agreed by the devolved Administration. A draft of the guidelines was issued to council chief executives on 9 May 2007 for consultation, and final guidelines, taking into consideration comments received, were issued on 11 July 2007. SEUPB further communicated the outworking of the guidelines at a workshop for councils and local strategy partnerships on 19 July 2007 and in meetings with the local strategy partnership working group on 19 July 2007 and 14 September 2007.

Review of Rating

Mr Hamilton asked the Minister of Finance and Personnel to give a timescale within which the consultation report into the review of rating will be published. (AQW 476/08)

Mr P Robinson: The public consultation finished on 31 August 2007 and the consultation report was

published and placed in the Assembly Library on 25 September 2007.

The report has also been placed on the rating review website and will now be sent to the DFP Committee to scrutinise and take further evidence.

Following this I will bring proposals in relation to the review to the Executive.

Comprehensive Spending Review

Mr Lunn asked the Minister of Finance and Personnel to report on progress on the Comprehensive spending review. (AQO 186/08)

Mr P Robinson: The comprehensive spending review is a UK wide assessment of future spending priorities and will also determine the overall allocations for Northern Ireland for 2008-09 to 2010-11. The outcome of this review is expected in October, and will feed into our local Budget process.

As part of my ongoing work on this issue there has been a series of engagements with the Treasury at both official and ministerial level. This has included detailed discussion with the chief secretary to the Treasury in the course of the Finance Ministers' Quadrilateral in Cardiff in July, and I subsequently met separately with the chief secretary on 12 September to continue to make the case for the best possible outcome for Northern Ireland.

Full-Rate Liability for Industrial Rates

Mr Beggs asked the Minister of Finance and Personnel what percentage of full-rate liability for industrial rates he is using in his planning and projections for the years 2008/2009 to 2010/2011. (AQO 194/08)

Mr P Robinson: In advance of full consideration of the ERINI Report, no change has been made to the percentages of full-rate liability as set out in the Rates (Northern Ireland) Order 1977 (as amended), in paragraph 4(3) of Schedule 7. For 2008/2009 it is 50%; for 2009/2010, 75%; and for 2010/2011, 75%.

However, as I said recently when addressing the CBI, while it would be wrong to pre-empt any decision the Executive may reach, economic growth is a priority and we are hampered by EU state aid rules in delivering new ways of assisting business. Capping industrial rates may be an inefficient way but it may be one of the few options available to us.

The Cost of Division - A Shared Future Strategy

Ms Lo asked the Minister of Finance and Personnel what steps he is taking to reduce the cost to public services of segregation, as set out in 'The Cost of Division - A Shared Future Strategy'. (AQO 185/08)

Mr P Robinson: The cost of division research was commissioned by the previous administration on 29 March 2006 and was conducted and finalised during direct rule. Although commissioned by the previous Administration it is an independent piece of research.

The final report was presented by Deloitte in April 2007, prior to devolution. Whilst the report itself may be a material consideration and Departments may wish to have regard to it, the report itself does not form an agreed basis for future policy development.

I, and the Executive, believe that by working to tackle the causes of division in our society, including sectarianism and racism, we can move forward and make a real difference to the lives of all our people. It is anticipated that this will lead to a reduction in the costs in dealing with segregation.

Comprehensive Spending Review

Mr Bresland asked the Minister of Finance and Personnel what representations have been made to Her Majesty's Treasury in relation to the comprehensive spending review. (AQO 143/08)

Mr P Robinson: The comprehensive spending review is a UK wide assessment of future spending priorities and will also determine the overall allocations for Northern Ireland for 2008-09 to 2010-11. The outcome of this review is expected in October, and will feed into our local Budget process.

As part of my ongoing work on this issue there has been a series of engagements with the Treasury at both official and ministerial level. This has included detailed discussion with the chief secretary to the Treasury in the course of the Finance Ministers' Quadrilateral in Cardiff in July, and I subsequently met separately with the chief secretary on 12 September to continue to make the case for the best possible outcome for Northern Ireland.

Interreg IV Programme

Mr W Clarke asked the Minister of Finance and Personnel to detail the role which the five local authority cross-border groups will have in the delivery of the Interreg IVA European programme, in keeping with European principles that the programme should

be 'bottom-up' and seen as additional to mainstream Government spending programmes. (AQO 175/08)

Mr P Robinson: The local authority cross border partnerships will continue to have a strong delivery role for the INTERREG IV programme. The existing partnerships plus COMET, the North East Partnership and Scottish interests have been invited to submit multi-annual strategic projects that reflect local needs identified on a bottom-up basis. Cross border co-operation and partnership are cross cutting themes in the programme and the track record of the partnerships under INTERREG IIIA means they, taken together, are well placed to benefit under the proposed project selection arrangements at a level similar to now. All EU northern Ireland structural funds expenditure will fully meet EU additionality requirements and partnership expenditure will be additional to mainstream Government programmes.

Civil Service Recruitment

Mr Campbell asked the Minister of Finance and Personnel to detail what implications the employers' guidance on recruiting people with conflict-related convictions has for Civil Service recruitment. (AQO 138/08)

Mr P Robinson: As the guidance has not been applied there have been no implications for recruitment to the Northern Ireland Civil Service. As the Minister responsible for recruitment to the Northern Ireland Civil Service it is not my intention to apply the guidance as I believe the existing recruitment policies and procedures provide appropriate arrangements for dealing with candidates with criminal records.

Irish Central Border Area Network

Mr Elliott asked the Minister of Finance and Personnel what action he has taken to investigate the use of public moneys by the Irish Central Border Area Network (ICBAN). (AQO 193/08)

Mr P Robinson: The Irish Central Border Area Network INTERREG Partnership acts as an implementing agent for three measures of the INTERREG IIIA programme for which DFP is the Northern Ireland Accountable Department. ICBAN conducts this role on a contractual basis with the Special EU Programmes Body who as managing authority for the programme have ensured that all necessary audit and financial checks are carried out in line with EU audit requirements. SEUPB also commissioned a full financial review of ICBAN which was received in April 2007. As a result of those reports, a number of recommendations for

improvement were made. SEUPB continue to pursue these issues to ensure they are addressed.

Barnett Consequential

Mrs M Bradley asked the Minister of Finance and Personnel if he will recommend to the Executive that the £11.3m received as a Barnett consequential from the United Kingdom Treasury's £340m allocation for disabled children, should be ring-fenced for the provision of disabled children's services throughout Northern Ireland. (AQO 136/08)

Mr P Robinson: Any and all allocations received from the Barnett Formula are unhypothecated, that is to say that they are available to the Executive to spend in correspondence with local needs and priorities.

The forthcoming Programme for Government and Budget will determine the priorities for Northern Ireland and associated public expenditure allocations.

Public Sector Jobs

Mr McElduff asked the Minister of Finance and Personnel what steps he is taking in respect of the decentralisation of public sector jobs. (AQO 147/08)

Mr P Robinson: The consultation on 'The Guiding Principles for the Location of Public Sector Jobs in Northern Ireland' which closed on 30 April 2007 is the first step in developing a framework which would facilitate future decision-making on the location of public sector jobs. Following analysis of the consultation responses the Executive Committee discussed the matter earlier this month and agreed:

- to develop a framework to provide a robust process for decision-making on the location of RPA-related bodies; and
- to undertake a time-bound review of policy on the location of public sector jobs in Northern Ireland

Gross Value Added in Northern Ireland

Mr McQuillan asked the Minister of Finance and Personnel what action he can take to increase the gross value added in Northern Ireland. (AQO 155/08)

Mr P Robinson: The key to transforming the Northern Ireland economy is to address the underperformance in terms of economic productivity. The 20% shortfall in GVA per head can be linked to the relatively low level of value added employment created over recent years. We need to put in place a policy framework that will enhance the quality of employment generated within the Northern Ireland economy.

Government Legal Services

Mr Buchanan asked the Minister of Finance and Personnel what plans he has to transfer Government legal services to the Office of the First Minister and deputy First Minister. (AQO 146/08)

Mr P Robinson: The Government Legal Service for Northern Ireland is an umbrella for professional legal staff in six units in the devolved and non-devolved sectors. Membership of GLSNI does not affect the lines of political and administrative accountability of those units. As the largest unit, the Departmental Solicitor's Office provides professional leadership and support services to GLSNI.

I have no plans to transfer the Departmental Solicitors Office to the Office of the First Minister and deputy First Minister.

Reduction in Corporation Tax

Mr McCarthy asked the Minister of Finance and Personnel to make a statement on prospects for a reduction in corporation tax in Northern Ireland. (AQO 188/08)

Mr P Robinson: On 19 July 2007 the Executive issued its formal response to the Varney Review's call for evidence. I currently have no further insight into Sir David's intentions on the issue of a reduction in corporation tax in Northern Ireland. I understand he will present his final report to the Chancellor in early October. In light of this I will be pressing for a further meeting with Sir David in advance of publication of his final report.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Hospitality and Entertainment Expenditure

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 20/08, to detail the total amount spent by his Department on hospitality and entertainment, in each of the last five years. (AQW 290/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): The amount spent on hospitality and entertainment by my Department in each of the last five years is shown in the table.

EXPENDITURE ON HOSPITALITY AND ENTERTAINMENT: DHSSPS 2002 – 2007

Category	2002/03	2003/04	2004/05	2005/06	2006/07
Catering	49,802	64,547	58,590	60,336	64,000
Room hire etc	34,734	64,404	79,954	41,854	57,000
Strategies, reviews etc.	7,312	43,828	26,419	63,084	29,000
Ministerial hospitality	3,416	1,453	72	564	582
Other	1,340	14,234	5,496	5,242	11,231
Total	£96,604	£188,466	£170,531	£171,080	£161,813

REGIONAL DEVELOPMENT

Flooding in Warrenpoint

Mr P J Bradley asked the Minister for Regional Development what steps he will take to prevent a recurrence of the recent flooding that took place on a number of occasions at Clermont Gardens, Warrenpoint. (AQW 155/08)

The Minister for Regional Development (Mr Murphy): The out-of-sewer flooding that affected Clermont Gardens and Charlotte Street on 8 July and 11 August 2007 was caused by the intensity and duration of the extreme rainfall that occurred on those dates. It is generally acknowledged that no sewerage system could have coped with the volume of rainfall experienced.

Northern Ireland Water (NIW) is currently undertaking a major programme of drainage area studies throughout Northern Ireland to identify any deficiencies, assess future needs and to recommend solutions for any upgrades needed to meet development, environmental and structural requirements. A recently completed drainage area study for Warrenpoint identified the Clermont Gardens/Charlotte Street/Newry Road area as being at risk of out-of-sewer flooding during periods of heavy rainfall and made recommendations to alleviate the risk. NIW expects to implement the recommendations in spring 2008, subject to competing priorities and the availability of funding.

Road Signs

Mr W Clarke asked the Minister for Regional Development what consideration he has given to displaying road distances in kilometres, as is the case in the majority of European countries. (AQW 182/08)

Mr Murphy: The conversion of road signs to metric measurements, which currently carry the distance in miles, would incur a significant capital cost, as all existing signs would need to be retrofitted or replaced. Those costs would be disproportionate to any overall benefit to be derived from the change and, given the current budgetary pressures on the Department, would be difficult to justify.

Westlink Upgrade

Mr W Clarke asked the Minister for Regional Development, in relation to the upgrade of the Westlink, to detail whether or not an obligation to include a percentage of long-term unemployed people in the workforce was placed on the successful contractor. (AQW 183/08)

Mr Murphy: My Department's Roads Service has confirmed that there was no contractual obligation placed on the successful contractor for the upgrade work to the Westlink to include a percentage of long-term unemployed people in the workforce. This contract was agreed under direct rule.

Sight-Lines Staff

Mr Shannon asked the Minister for Regional Development to detail the number of staff currently employed in the sight-lines section at Roads Service's divisional office at Rathkeltair House, Downpatrick. (AQW 239/08)

Mr Murphy: The group of staff who deal with sight line matters within my Department's Roads Service's Southern Division, is the development control section. This section is deployed in two teams based at Marlborough House, Craigavon and Rathkeltair House, Downpatrick. There are currently seven technical officers and 3 admin support staff members employed in the Downpatrick based team which covers the Ards, Down, and Newry & Mourne District Council areas. In addition there is, at the present time, one vacancy at the technical grade.

The filling of this vacancy, together with a number of other similar vacancies at this grade throughout Roads Service, is currently being progressed by means of both an internal trawl and external recruitment. The internal process includes promotion opportunities for suitable candidates from technical assistant grades within Roads Service.

Sight-Lines Staff

Mr Shannon asked the Minister for Regional Development what steps he is taking to increase the

number of staff in the sight-lines section of Roads Service's Divisional Office at Rathkeltair House, Downpatrick. (AQW 240/08)

Mr Murphy: The group of staff who deal with sight line matters within my Department's Roads Service's Southern Division, is the development control section. This section is deployed in two teams based at Marlborough House, Craigavon and Rathkeltair House, Downpatrick. There are currently seven technical officers and 3 admin support staff members employed in the Downpatrick based team which covers the Ards, Down, and Newry & Mourne District Council areas. In addition there is, at the present time, one vacancy at the technical grade.

The filling of this vacancy, together with a number of other similar vacancies at this grade throughout Roads Service, is currently being progressed by means of both an internal trawl and external recruitment. The internal process includes promotion opportunities for suitable candidates from technical assistant grades within Roads Service.

ICBAN

Mr Elliott asked the Minister for Regional Development if he has carried out any investigation into the financial spending of ICBAN. (AQW 266/08)

Mr Murphy: In June 2006, officials from my Department's Roads Service carried out an investigation into financial spending by the Irish Central Border Area Network (ICBAN), pertaining to a previous minor roads improvement project in the border region. This project was part funded by the INTERREG IIIA community initiative and an element of it incorporated ineligible expenditure. Based on the outcome of this investigation, DRD has held further meetings with ICBAN and is currently trying to recoup the ineligible expenditure from them.

Housing Provision

Mr McGlone asked the Minister for Regional Development what steps he will take, in light of increased land costs and affordability issues, to increase housing provision in the regional development strategy up to 2015. (AQW 269/08)

Mr Murphy: The regional housing need figure of 208,000 dwellings, which was published last year, is currently being reviewed. A revised figure will be published early in 2008. This is in line with my Department's commitment to review the regional housing need figure every two years to ensure that it is sufficiently up to date.

Parking Exemptions for Community Carers

Mr Shannon asked the Minister for Regional Development what steps he will take to provide exemptions to parking restrictions for community carers, similar to those in place for the emergency services.
(AQW 277/08)

Mr Murphy: I should explain that presently (and if no local restriction is in place), blue badge holders are the only road users permitted to use single or double yellow lines for general parking. This exemption is provided under the Disabled Persons (Badge for Motor Vehicles) Regulations (Northern Ireland) 1993. Parking is restricted to three hours and the exemption is provided on the understanding that if reserved parking places are provided nearby, those should be used in preference to yellow lines.

Other vehicles can stop and wait on yellow lines but only for specific purposes; for example, a person boarding or alighting a vehicle, or for goods to be loaded or unloaded. Emergency vehicles such as fire, ambulance and police, are permitted to stop and wait, for the sole purpose of attending an emergency. Doctors' vehicles are not exempt from waiting restrictions, with no provision for doctors on call. However, if a doctor has been issued with a Penalty Charge Notice (PCN), and they can provide evidence that they were attending an emergency, then the PCN is generally revoked.

It is the case that a small number of authorities in England allow vehicles, displaying a doctor or nurse "On Call" badge, to park within the limits of a residents' parking scheme without the need for a permit. However, in areas where this exemption applies, the badge cannot be used for any other purposes on-street. All London boroughs and some GB local authorities operate a health emergency badge scheme. This is for people providing emergency healthcare in patients' homes. The scheme is applied solely at the discretion of the local parking authority, and has no legal status, but permits anyone displaying the associated badge to park on waiting restrictions, if there is no other on-street alternative. It is not for use for routine or non-emergency home visits, or for general parking – including parking at the surgery.

Waiting restrictions are generally introduced for either road safety or traffic progression reasons. Keeping the areas over which a restriction applies free of parked vehicles is therefore necessary to ensure the safe and effective management of the road network. For those reasons, I do not think that it is appropriate to introduce further exemptions to waiting restrictions, other than those already in place.

Resurfacing of the Road at Main Street, Greyabbey

Mr Shannon asked the Minister for Regional Development to give a timescale for the resurfacing of the road at Main Street, Greyabbey, between North Street and the PSNI Station, following NI Water's recent installation of water pipes at this location.
(AQW 278/08)

Mr Murphy: I note that you raised this question with me in May this year. My Department's Roads Service has confirmed that the position remains unchanged from that stated in my previous reply (Ref AQW 105/07), namely that it continues to be committed to this scheme, however, funding is not currently available. I am unable, therefore, to provide you with a timescale for carrying out the works. As I advised previously, I have asked the Southern Divisional roads manager to write to you as soon as a start date for the scheme is established.

Dual Carriageway Between Comber and Newtownards

Mr Shannon asked the Minister for Regional Development what plans he has to address the safety of vehicle users on the dual carriageway between Comber and Newtownards, at the Scrabo Road and Island Hill Road.
(AQW 291/08)

Mr Murphy: My Department's Roads Service has advised that they are not aware of any specific traffic or safety related issues of vehicle users on the dual carriageway between Comber and Newtownards, at the Scrabo Road and Island Hill Road junction, with there being only one recorded 'damage only' accident at this location.

Roads Service have also advised that they expect the volume of traffic using this road junction to greatly decrease following the provision of the Newtownards A20 southern distributor road (contract to be awarded in November 2007) and therefore do not currently propose to take any remedial action.

Road Safety on the Ballyrainey Road

Mr Shannon asked the Minister for Regional Development what action he will take to reduce the speed of vehicles on the dual carriageway between the shopping centre and Ballyrainey Road, in light of the number of accidents and deaths on this stretch of road.
(AQW 292/08)

Mr Murphy: Following the tragic accident which occurred at the intersection of the Kempstones Road and the Ballyrainey Road in December 2005, my

Department's Roads Service introduced a series of measures on the A20 both at the approach to, and at the junction.

The enhanced warning signs and edge of carriageway studs on the dual carriageway and the high friction surfacing on the Ballyrainey Road, coupled with measures implemented in previous years, have assisted road safety at this location.

While Roads Service will continue to give high priority to accident reduction and prevention measures, it is in agreement with the PSNI that speed has not been the principal factor in the accidents along this stretch of road and that a reduction in the speed limit is not considered to be appropriate.

Train Diversions

Mr Donaldson asked the Minister for Regional Development to detail the number of occasions on which trains have been diverted on to the Antrim to Knockmore railway line, due to temporary obstructions on the Belfast to Derry/Londonderry line. (AQW 310/08)

Mr Murphy: The Antrim to Knockmore railway line ceased to be used by scheduled services on 29 June 2003. Since then, 24 passenger trains have used the line as a diversionary route in times of emergency or obstruction. The vast majority of these (80-90%) have been caused by disruptions on the Belfast to Derry service.

Train Diversions

Mr Donaldson asked the Minister for Regional Development to detail the number of occasions, during the last six months, on which Northern Ireland Railways has run a train along the Antrim to Knockmore railway line in each direction, to ensure that it can be maintained as a diversionary route. (AQW 311/08)

Mr Murphy: When the Knockmore line was closed to scheduled services it was intended that the route would be maintained for the purpose of driver training and emergency diversions. The Antrim to Knockmore railway line has remained unused by NIR during the last six months. The last time a journey was undertaken on the line was 9 February 2007 for driver training purposes. However, the line is patrolled by infrastructure staff in the same way as the rest of the network. Where defects are identified, action is taken to ensure that the problems are rectified and the line remains available for use.

Irish on Road Signs

Mr McGlone asked the Minister for Regional Development, pursuant to his answer to AQW 63/08, to detail the timescale for consultation on, and implementation of, the operational policy in regard to this matter. (AQW 321/08)

Mr Murphy: As I indicated in my answer to AQW 63/08, my Department's Roads Service is currently developing policy proposals to enable the authorisation of road signs in languages other than English, with a view to introducing amending legislation in line with the normal procedures and timetable for an Assembly bill.

I would intend being in a position to consult on my proposals for legislative change in spring 2008, including consultation on the proposed operational policy for the provision of bilingual traffic signs. On the basis of the normal timetable for legislative proposals, the introduction of a Bill to the Assembly would follow around one year after the close of the consultation period. The date at which the policy could be implemented would be dependent on the subsequent progress of the Bill through the Assembly.

Review of Road Safety on the Frosses Road

Mr McKay asked the Minister for Regional Development what plans he has to carry out a review of road safety on the Frosses Road; and to improve this route over the next five years. (AQW 405/08)

Mr Murphy: My Department's Roads Service has carried out a number of improvements to the A26 Frosses Road between its junction with the A44, Drones Road and Ballymoney over the past number of years. These have included a significant safety scheme carried out during the period 2001 to 2003 that provided better information for drivers on overtaking opportunities and better warning of the road layout. Significant improvements were made to road markings including double line systems, edge of carriageway markings, improved junction layouts to include the use of coloured surfacing, traffic islands, improved signage, street lighting and two stretches of 50 mph speed limit.

In addition, climbing lanes have been introduced at Glenlough to provide overtaking opportunities for traffic travelling towards Ballymena and at Ballinaloob for traffic travelling towards Ballymoney. The latter scheme also introduced a much improved junction layout at the Dunloy Crossroads junction. A roundabout has also been provided at the junction of the A26 Ballymoney bypass at the Kilraughts Road junction.

Roads Service has advised that it has no plans, at present, to carry out a further review of road safety on this length of the Frosses Road. You will however, be aware that plans are currently being progressed to

provide a dual carriageway on a 7km section of this road from Glarryford Cross Roads to its junction with the A44 Drones Road.

Commencement of this scheme will be subject to timely and successful completion of the statutory procedures, detailed economic appraisal and the availability of funding at the time. Roads Service currently envisages that construction of the scheme will take 2 – 3 years.

SOCIAL DEVELOPMENT

Housing Energy Performance Certificates

Mr P Ramsey asked the Minister for Social Development to outline her plans to introduce housing energy performance certificates; and to indicate what measurement standards will be applied. (AQW 218/08)

The Minister for Social Development (Ms Ritchie): In conjunction with my Department, the Department of Finance and Personnel is finalising new regulations that will introduce the outstanding requirements of the EU directive on the energy performance of buildings, including the requirement to produce an energy performance certificate when a building is constructed, sold, leased or rented. The requirement for an energy performance certificate will be phased in throughout next year, starting with new buildings in early Spring, followed by sales of existing buildings in Summer and finally public and private rentals by the start of January 2009.

For new dwellings, the energy performance assessment will be calculated using the Government Standard Assessment Procedure software (SAP2005). For existing dwellings the assessment will be calculated using the reduced data version of SAP 2005 (rdSAP).

Northern Ireland Housing Executive Land

Miss McIlveen asked the Minister for Social Development to detail all land owned by the Northern Ireland Housing Executive in Comber, Ballygowan, Saintfield and their outlying areas. (AQW 261/08)

Ms Ritchie: The Northern Ireland Housing Executive owns the following sites in (or within the areas surrounding) Comber, Ballygowan and Saintfield.

- Lisbane Park, Saintfield (0.24 ha.) – A feasibility study is currently being completed to assess the development potential of this site.
- Upper Crescent, Comber (1.17 ha.) – Land is in the process of being transferred to BIH Housing

Association for a social housing scheme that is programmed to commence in the current year.

- Kathleen Drive, Ballystockard, Comber (0.07 ha.) – This land has the potential for a limited number of dwellings subject to planning approval. A feasibility study to assess the development potential of this site is imminent.

Local Community Fund

Mr Bresland asked the Minister for Social Development what plans she has to extend the local community fund beyond the current financial year; and to provide details of the method used to select target wards. (AQW 302/08)

Ms Ritchie: My Department is currently reviewing the local community fund. Decisions on the future of the fund will be made on completion of the review. Since April 2006, LCF has targeted those communities living in the 11-20% most deprived super output areas as defined by the Noble index of deprivation 2005.

Areas of Deprivation

Mr Simpson asked the Minister for Social Development to detail what percentage of the population, broken down by (i) constituency; and (ii) district council area, has been assessed as living in the most deprived areas of Northern Ireland, in each of the last two years. (AQW 330/08)

Ms Ritchie: The information requested is set out in the attached tables.

Table 1 shows the percentage of the population in each Parliamentary constituency assessed as living in the most deprived areas of Northern Ireland. Table 2 shows the percentage of the population in each district council living in the most deprived areas of Northern Ireland. Figures are derived from the 'Northern Ireland Multiple Deprivation Measure 2005', and the data relates primarily to 2003. Information for other years is not available.

TABLE 1

Parliamentary Constituency	Extent (%)	Rank of Extent
Belfast East	23	5
Belfast North	60	2
Belfast South	19	7
Belfast West	79	1
East Antrim	8	10
East Londonderry	13	9
Fermanagh South Tyrone	8	11

Parliamentary Constituency	Extent (%)	Rank of Extent
Foyle	46	3
Lagan Valley	4	16
Mid Ulster	7	13
Newry and Armagh	23	6
North Antrim	8	12
North Down	2	18
South Antrim	4	15
South Down	6	14
Strangford	4	17
Upper Bann	18	8
West Tyrone	31	4

Notes: Extent means the proportion of the population living in the most deprived super output areas. For example, Belfast East parliamentary constituency has an extent of 23%. This means that 23% of the Belfast East parliamentary constituency population live in the most deprived super output areas in Northern Ireland. Extent ranks range from 1 (most deprived parliamentary constituency) to 18 (least deprived parliamentary constituency).

TABLE 2

District Council	Extent (%)	Rank of Extent
Antrim	6	19
Ards	3	22
Armagh	7	18
Ballymena	10	13
Ballymoney	1	25
Banbridge	0	26
Belfast	48	2
Carrickfergus	8	17
Castlereagh	5	21
Coleraine	10	12
Cookstown	11	11
Craigavon	23	5
Derry	46	3
Down	6	20
Dungannon	9	14
Fermanagh	9	15
Larne	8	16
Limavady	17	6
Lisburn	16	7
Magherafelt	1	24
Moyle	13	10

District Council	Extent (%)	Rank of Extent
Newry and Mourne	25	4
Newtownabbey	13	8
North Down	3	23
Omagh	13	9
Strabane	54	1

Notes: Extent means the proportion of the population living in the most deprived super output areas. For example, Antrim district council has an extent of 6%. This means that 6% of the Antrim district council population live in the most deprived super output areas in Northern Ireland. Extent ranks range from 1 (most deprived district council) to 26 (least deprived district council).

Staff Teambuilding Costs

Mr Moutray asked the Minister for Social Development to detail the total cost of (i) staff away days; and (ii) staff team building exercises carried out by her department, in each of the last three years. (AQW 332/08)

Ms Ritchie: The total cost of away days and staff team building exercises carried out by my department over the last three year period amounts to £276,318.75. The break down for each of the last three years is as follows:

2004/05	
Away Days	£59,015.46
Team Building	£4,805.00
Total	£63,820.46

2005/06	
Away Days	£63,076.63
Team Building	£25,578.14
Total	£88,654.77

2006/07	
Away Days	£63,511.18
Team Building	£60,332.34
Total	£123,843.52

Land Acquisition at Loughgilly, Co. Armagh

Mr Kennedy asked the Minister for Social Development to confirm that all outstanding payments for which her Department is responsible are in the process of being paid to Gosford Housing Association, in

relation to land acquisition at Loughgilly, Co. Armagh.
(AQW 345/08)

Ms Ritchie: I can confirm that there are no outstanding payments due to Gosford Housing Association (Armagh) Limited in relation to land acquisition at Loughgilly, Co Armagh.

Street Trader Legislation

Mr Hilditch asked the Minister for Social Development to detail the legislation that governs street traders in Northern Ireland. (AQW 370/08)

Ms Ritchie: The legislation regulating street trading in Northern Ireland is contained in the Street Trading Act (Northern Ireland) 2001 and associated

subordinate legislation. A copy of the guide to the Act has been placed in the Library.

Prosecutions of Illegal Street Traders

Mr Hilditch asked the Minister for Social Development to detail the number of prosecutions of illegal street traders, taken in the last year. (AQW 371/08)

Ms Ritchie: Responsibility for the prosecution of offences under the Street Trading Act (Northern Ireland) 2001 rests with district councils. My Department does not hold records of prosecutions taken.

NORTHERN IRELAND ASSEMBLY

Friday 5 October 2007

Written Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Sustainable Development Strategy

Mr P Ramsey asked the Office of the First Minister and Deputy First Minister if it will make a statement confirming the Executive's commitment to targets set out in the Sustainable Development Strategy for Northern Ireland. (AQW 119/08)

The First Minister and deputy First Minister (Rev Dr Ian Paisley and Mr M McGuinness): We are fully committed to the overall principles contained in the Sustainable Development Strategy for Northern Ireland. They are also considering, along with Executive colleagues, how best sustainable development can be taken into account in the forthcoming Programme for Government.

In developing a further Implementation Plan to cover the period 2008-11, we will wish to review carefully the targets contained in the Sustainable Development Strategy to ensure that they are still appropriate.

European Directives

Mr Moutray asked the Office of the First Minister and Deputy First Minister what assessment it has made of the way in which other countries have (i) implemented European Directives on equality; and (ii) legislated on equality issues, over the last five years; and to outline how this has informed the implementation of European Directives in Northern Ireland.

(AQW 137/08)

The First Minister and deputy First Minister: OFMDFM has not conducted a formal assessment of the way other countries have implemented EU Directives on equality or legislated on equality issues.

Each Member State has an obligation under EU law to implement EU Directives. Failure to implement will lead to infraction proceedings and the imposition of fines until implementation is achieved in full. Given that equality is a devolved matter, it is the responsibility of the devolved administration to bring forward legislation to implement EU Equality Directives.

Comprehensive Spending Review

Mr Campbell asked the Office of the First Minister and Deputy First Minister to outline how it will ensure that each Government Department addresses poverty and social exclusion within its Comprehensive Spending Review bid, as outlined in the 'Lifetime Opportunities' Anti-Poverty and Social Inclusion Strategy for Northern Ireland, and in anticipation of the Programme for Government.

(AQW 204/08)

The First Minister and deputy First Minister: We, and our Department, are determined to properly address poverty and social inclusion. 'Lifetime Opportunities' has not yet been formally adopted by the Executive Committee. Section 16 of the Northern Ireland St Andrews Agreement Act 2006 places a statutory obligation on the Northern Ireland Executive Committee to adopt a strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need. This process has already begun and proposals are currently being prepared at official level with a view to the Executive Committee considering the adoption of an Anti-poverty and Social Inclusion Strategy later this year.

Part of that process will be the consideration by the Executive of how in the implementation of an agreed strategy, tackling poverty and social exclusion will be prioritised within the public expenditure and Programme for Government planning process.

Lifetime Opportunities

Mrs D Kelly asked the Office of the First Minister and Deputy First Minister what assessment it has made of Northern Ireland's progress towards the targets contained in the 'Lifetime Opportunities' document, published by the Secretary of State in November 2006.

(AQW 524/08)

The First Minister and deputy First Minister: Section 16 of the Northern Ireland St Andrews Agreement Act 2006 places a statutory obligation on the Northern Ireland Executive Committee, to adopt a strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need.

The process to obtain Executive Committee agreement on an anti-poverty strategy has begun. Proposals are currently being cleared at official level, with a view to the Executive Committee considering the adoption of an agreed strategy later this year.

Considerations will inevitably include an assessment of the implementation of a strategy as well as examining the adequacy of existing targets in ensuring that major goals and objectives within the adopted strategy can be achieved.

No formal assessment of progress made towards targets currently outlined in 'Lifetime Opportunities' therefore has yet occurred.

AGRICULTURE AND RURAL DEVELOPMENT

Rural Development Council

Mr Bresland asked the Minister of Agriculture and Rural Development to outline the role of the Rural Development Council in relation to the delivery of the new Rural Development Programme.

(AQW 301/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): There will be no formal role for the Rural Development Council (RDC) in relation to delivery of the new Rural Development Programme.

DARD funding for the RDC expires in March 2009 after which the RDC will become an independent voluntary organisation.

The delivery of an element of the new Rural Development Programme will be based on the LEADER methodology of "bottom up" working and will involve self defining Council clusters working in partnership with new Local Action Groups (LAGs). The Council clusters will establish the LAGs by way of an open call, and, together with LAGs, will be responsible for developing a strategy that will meet the needs of the area.

Tullaghoge Fort

Mr McGlone asked the Minister of Agriculture and Rural Development if she will ensure that no land surrounding Tullaghoge Fort will be disposed of by her department, if it is required for the future development of this historic monument.

(AQW 320/08)

Ms Gildernew: My Department is working closely with the Environment and Heritage Service (Department

of the Environment) and Cookstown District Council regarding their land requirements to safeguard the future of Tullaghoge Fort and to facilitate public access to it. No firm decision has been taken on the future of any land not transferred to Department of the Environment and Cookstown District Council for this purpose

Dogs (Amendment) Act (Northern Ireland) 2001

Mr Burns asked the Minister of Agriculture and Rural Development what plans she has for a review of the Dogs (Amendment) Act (Northern Ireland) 2001.

(AQW 322/08)

Ms Gildernew: I am currently discussing with my officials a number of options on how to tackle a range of dog control issues, including the enforcement of the current legislation and the All-Island dimension. Once I have decided on how best to proceed, I will bring my proposals to the Executive and the Agriculture and Rural Development Committee.

Staff Team Building Days

Mr Moutray asked the Minister of Agriculture and Rural Development to detail the total cost of (i) staff away days; and (ii) staff team building exercises carried out by her department, in each of the last three years.

(AQW 333/08)

Ms Gildernew: The table below shows the total cost of staff away days and staff team building exercises carried out by the Department of Agriculture and Rural Development, in each of the last three years.

Year	Total Cost of Staff Away Days	Total Cost of Staff Team Building Exercises
2004/05	£53,698	£14,400
2005/06	£28,572	£400
2006/07	£28,023	£11,055

Fraud

Mr McNarry asked the Minister of Agriculture and Rural Development to detail the total number of staff in her department who are involved in the investigation of fraud cases; and to outline her department's expenditure on such investigations, over the past three years.

(AQW 406/08)

Ms Gildernew: There are 7 staff involved in the investigation of suspected fraud cases. The Department's

expenditure on such investigations over the past three years was £562,135. Expenditure breakdown:

Year	Salaries	Miscellaneous and other costs
2004/2005	£170,282	£21,437
2005/2006	£167,069	£18,926
2006/2007	£171,277	£13,144

Potato Inspection Regime

Mr P J Bradley asked the Minister of Agriculture and Rural Development what is her assessment of the new Potato Inspection Regime, which has replaced the previous system; and if she will comment on the contentment of her department's employees, who have responsibility for potato inspections, with the introduction of the new regime. (AQW 412/08)

Ms Gildernew: There has been no change to potato inspection arrangements.

Farm Nutrient Scheme

Mr Bresland asked the Minister of Agriculture and Rural Development to detail (i) what progress has been made in processing applications for the Farm Nutrient Scheme; (ii) the number of farms that have received approval; and (iii) the number of farms that are still awaiting confirmation of funding. (AQW 453/08)

Ms Gildernew:

- (i) Considerable progress has been made in recent months in undertaking pre-approval inspections in order that FNMS approvals can be issued. 2712 pre approval inspections have been completed.
- (ii) In respect of these, 1947 approvals have been issued as at 25 September 2007.
- (iii) Approvals have yet to be issued in respect of 2728 applications although in 765 of these, the pre approval inspection has been completed.

Disease Compensation

Mr McNarry asked the Minister of Agriculture and Rural Development what monies are being withheld from farmers in respect of disease compensation; and to detail the number of farmers that are involved in alleged breaches of legislation. (AQW 542/08)

Ms Gildernew: The Department of Agriculture and Rural Development are withholding disease compensation in respect of bovine Brucellosis and bovine Tuberculosis from 25 farmers totalling £1.4m for alleged breaches of legislation.

CULTURE, ARTS AND LEISURE

Library Authority

Mr Shannon asked the Minister of Culture, Arts and Leisure to detail how much it will cost to establish the new Library Authority; and how this will be funded, other than through further library closures. (AQW 214/08)

The Minister of Culture, Arts and Leisure (Mr Poots): The Explanatory and Financial Memorandum accompanying the Libraries Bill set out the estimated costs for setting up the Library Authority as £670,000, comprised chiefly of salaries for the Chief Executive (designate) and her team, temporary premises and consultancy. These resources were bid for and have been secured for this financial year. These costs may rise if the operational date for the Library Authority requires that salaries are paid over a longer period, in which case the proportion of costs which fall in the next financial year will be considered within the Comprehensive Spending Review.

Corporate and support services – eg. finance, human resources, IT, estates management – are currently supplied to the library service within the general administration of the Education and Library Boards, and paid from the DE budget. The Explanatory and Financial Memorandum noted that the Department was undertaking an exercise to establish the cost of libraries' use of these services as an aid to planning for the Library Authority (Deloitte has estimated total annual cost in respect of libraries across all five Boards is £956,000). In the same exercise, Deloitte also reported on the options for the future provision of corporate services to the Library Authority and the associated costs, both running costs and set up costs. The Department is still considering the Deloitte report to determine the most cost-effective way of providing these services to the Library Authority.

I apologise for the late arrival of this answer.

Titanic Quarter

Mr Newton asked the Minister of Culture, Arts and Leisure what steps he is taking to acknowledge the contribution of Harland and Wolff, Bombardier Shorts

and the people of East Belfast to the maritime and industrial heritage of Belfast; and if he will consider acknowledging this contribution within the Titanic Quarter. (AQW 236/08)

Mr Poots: I recognise that this Question was due for answer on the 27th September 2007 and I apologise to the Member for the delay.

National Museums, via the Ulster Folk & Transport Museum (UFTM) site, holds key archival collections in the form of technical drawings and photographs related to Harland & Wolff and has an ongoing relationship with the company in terms of collecting and making collections accessible. Additionally, UFTM has collaborated with the Titanic Made In Belfast exhibitions staged by Belfast City Council and more latterly has presented a profile-raising 'Titanic Built In Belfast' exhibition in Washington D.C. as part of the Rediscover Northern Ireland programme. Building on the collections, UFTM has created an innovative new website 'Titanic Built In Belfast' [www.titanicinbelfast.com] and has developed, in partnership with Bombardier Aerospace, a major interactive Flight Experience exhibition that presents and illustrates the Shorts story and the Northern Ireland aviation industry in an international context.

At a local community level the UFTM is also a lead partner in the Community Archive Network Northern Ireland (CANNI). This has facilitated several East Belfast community group websites providing an important tool towards community development. An example is the Wise Men of the East website [www.wise-men.org.uk].

In 2002/03 National Museums Northern Ireland commissioned a feasibility study on a Museum of Sea and Sky within Titanic Quarter. Discussions have taken place with National Museums on the possibility of revisiting these proposals for the interpretation of Belfast's maritime and industrial heritage within the context of the current plans for the regeneration of the Titanic Quarter.

The Public Record Office of Northern Ireland is to move to its new location in the Titanic Quarter by 2010 and will be immediately associated with its new location through its existing archive holdings. PRONI intend to build on that association in terms of acquiring appropriate archives, exploiting the existing relevant holdings and seeking opportunities to publicise the holdings thus attracting additional interest in their use. In addition, the Department of Culture, Arts and Leisure is fully supportive of the proposed development of the Titanic Signature Project within the wider Titanic Quarter redevelopment. One of the main objectives of the Titanic Signature Project is to record and celebrate the maritime and industrial heritage of the city.

Museums Strategy

Mr Lunn asked the Minister of Culture, Arts and Leisure to outline the work that has been carried out on the development of a museums strategy since he took up office, taking into account the withdrawal of funding from the Northern Ireland Museums Council. (AQW 347/08)

Mr Poots: In the 'Better Government for Northern Ireland; Final Decisions of the Review of Public Administration' document published in March 2006 it was announced that the functions of the Northern Ireland Museums Council (NIMC) would transfer to Central or Local Government. The functions provided by the NIMC are varied and whereas there are some of those functions that would transfer readily to local councils there are others that should be handled by central government, the accreditation of museums would fall into this latter category. On foot of the announcement the Department sought a mechanism to categorise the functions of NIMC and where they would best fit. One of the mechanisms considered was the formulation of a museums policy/strategy which would set out the role of museums both national and local and the support structures required to facilitate these roles. Consideration included the drawing up of draft Terms of Reference and an estimation of the resources, both costs and manpower that would be required. Both the NMC and National Museums Northern Ireland provided comment on the terms of reference.

The internal manpower resources required to move forward on this option are not available at present within the Department and it looks increasingly likely that over the next CSR period it would be very difficult for my Department to prioritise the development of such a major strategy. In light of this I met with the Chair and Chief Executive of the NIMC in September and they indicated that they had some thoughts on how they could assist us to move this process forward with more limited resource inputs and I have asked them to prepare a paper for me outlining their proposals.

I have also extended the funding for the NIMC for a further year to enable the organisation to continue in operation pending definitive decisions on the way forward.

Burnavon Arts and Cultural Centre in Cookstown

Mr I McCrea asked the Minister of Culture, Arts and Leisure what financial support the Arts Council of Northern Ireland plans to provide for the future development and structural needs of key regional theatres throughout Northern Ireland, and, in particular, to fund the expansion needs of the Burnavon Arts and Cultural Centre in Cookstown. (AQW 392/08)

Mr Poots: I have referred your query to the Chief Executive of the Arts Council, and I understand that she has replied to you in the following terms:

“In response to your question to the Minister regarding the development of regional theatres, you may be aware that since the establishment of the National Lottery, the Arts Council has invested significant sums of money in the design and construction not only of new buildings, but in the refurbishment and extension of existing theatres and arts centres outside Belfast. Since 1994 the Council has invested £32.8m in the capital arts infrastructure, £24.8m of which was outside Belfast. This included an award of £1,125,585 to the construction of the Burnavon Arts & Cultural Centre. (A full list of the awards is attached for your information).

In addition to its capital investment the Arts Council supports the regional theatres through its Lottery Multi Annual Programme. Each regional theatre (Market Place, Armagh; Burnavon, Cookstown; Riverside, Coleraine and the Ardhowen Theatre, Enniskillen) currently receives £30,000 per year towards its programming costs. These grants are due to expire in March 2009.

The Council's Director of Operations, Lorraine McDowell, met with representatives of Cookstown District Council earlier this year to discuss plans for the expansion of Burnavon.

Whilst the Arts Council agrees that the Centre has proved extremely successful and that the plans for its expansion are reasonable and justified, Ms McDowell had to explain that, due to diminishing Lottery funds, the Arts Council no longer has a capital programme through which such a project could be funded. In the incoming year it is likely that the Council will have only a small budget of £250,000 to respond to applications for the purchase of equipment.

The Council's Lottery income has fallen from a high of £10m in 1997/98 to projected levels of £5.795m in 07/08, reducing further to £4.5m by 2011/12. This situation has been brought about, not only through a general reduction in Lottery ticket sales, but more recently through the announcement by the Secretary of State for Culture, Media and Sport that the Arts Council is to lose £4.5m over the next 3-4 years to fund the Olympics 2012.

The Arts Council is working with the Department of Culture, Arts & Leisure to redress this loss through CSR 2007 and ISNI 2.

I hope you will agree with me on the need to ensure that funds are made available so that the Arts Council can assist local authorities to not only maintain, but develop their current assets to meet customer needs for up to date, state of the art facilities”.

Elite Facilities Capital Programme

Mr Shannon asked the Minister of Culture, Arts and Leisure if he will explain the reasons why Comber Shooting Club and Hollow Farm Shooting Club were not short listed for the Elite Facilities Capital Programme for the 2012 Olympic Games. (AQW 423/08)

Mr Poots: The responsibility for managing the Elite Facilities Capital Programme rests with Sport Northern Ireland (SNI). The programme is managed on a competitive basis against set criteria and those projects which satisfy the criteria will proceed to the next stage.

The actual detail of the strengths and weaknesses of the Comber Shooting Club and Hollow Farm Shooting Club bid is a matter between them and SNI. The applicants have been notified of the reasons why they were not short listed and of their right to appeal.

Elite Facilities Capital Programme

Mr Shannon asked the Minister of Culture, Arts and Leisure if he will explain the reasons why Dungannon Rifle and Pistol Club was not short listed for the Elite Facilities Capital Programme for the 2012 Olympic Games. (AQW 433/08)

Mr Poots: The responsibility for managing the Elite Facilities Capital Programme rests with Sport Northern Ireland (SNI). The programme is managed on a competitive basis against set criteria and those projects which satisfy the criteria will proceed to the next stage.

The actual detail of the strengths and weaknesses of the Dungannon Rifle and Pistol Club bid is a matter between them and SNI. The applicants have been notified of the reasons why they were not short listed and of their right to appeal.

Sport NI

Mr Shannon asked the Minister of Culture, Arts and Leisure if he will explain the reasons for the Sport NI decision not to give funding to Wado Karate, with reference to the decisions by the Scottish Executive and Welsh Assembly to fund this sport directly. (AQW 434/08)

Mr Poots: Sport Northern Ireland (SNI) is responsible for the development of sport within Northern Ireland, including the distribution of funding to sports organisations. SNI advises that it is unaware of any application from Wado Karate in the current financial year. It also advises that neither the Scottish Executive nor the Welsh Assembly provide direct funding to Wado Karate.

Illegal Fishing

Mr McKay asked the Minister of Culture, Arts and Leisure to detail the number of people who have been apprehended by bailiffs for fishing illegally in (i) Killylane Reservoir; (ii) Altnahinch Reservoir; and (iii) Dungonnell Reservoir, in the last year.

(AQW 477/08)

Mr Poots: In the past year Fisheries Conservation Officers (bailiffs) apprehended two people fishing at Killylane Reservoir without the appropriate documentation in their possession. In both incidents they issued the angler with a production document. In the first incident the angler subsequently produced the relevant documentation. In the second incident the production of the relevant documentation is still outstanding but the angler is still within the permitted timescale to produce such documentation.

No one has been apprehended fishing illegally at Altnahinch Reservoir or at Dungonnell Reservoir by Fisheries Conservation Officers in the last year.

Illegal fishing

Mr McKay asked the Minister of Culture, Arts and Leisure what action he will take in respect of illegal fishing in (i) Killylane Reservoir; (ii) Altnahinch Reservoir; and (iii) Dungonnell Reservoir, due to a lack of bailiffs at these locations.

(AQW 478/08)

Mr Poots: The bailiffing presence allied with other measures is considered adequate at this time. The Department does not rely solely on bailiffing visits to identify illegal fishing but also on reports of illegal fishing from other anglers and through visits of its own staff. The “whistleblower” approach is actively encouraged by Departmental officials and is promoted on the Public Angling Estate website.

As indicated in my reply to AQW 67/08 the Department can allocate additional hours if specific problems are identified. As a result of the reports frequency of patrols at Killylane and Altnahinch Reservoirs were increased but no illegal activity has been detected. Targeted information is more likely to succeed in reducing illegal activity and apprehending offenders than regular visits by Fisheries Conservation Officers. The Department will continue to pursue this approach.

Community Festivals Fund

Mr McKay asked the Minister of Culture, Arts and Leisure to detail what financial support the Community Festivals Fund provided to festivals in the North Antrim constituency in (i) 2006/07; and (ii) 2007/08.

(AQW 479/08)

Mr Poots: To ask the Minister of Culture, Arts and Leisure to detail what financial support the Community Festivals Fund provided to festivals in the North Antrim constituency in (i) 2006/07; and (ii) 2007/08.

The table below gives details of festivals in the North Antrim constituency that have received financial support from the Community Festivals Fund:

Year	Festival	Amount awarded
2006/07	Rathlin Aírs Annual Traditional Music Festival 2006 (Rathlin Island)	£2,000
2007/08	Dunaghy Cultural and Community Festival (Ballymoney)	£2,250
	Heart of the Glens Festival 2007 (Cushendall)	£3,000

Shooting Sports

Mr Shannon asked the Minister of Culture, Arts and Leisure, in light of Northern Ireland’s participation in the 2012 Olympic Games and the World Police and Fire Games 2013, if he will review his decision on the prioritisation of shooting sports, as there are participants in Olympic shooting sports who currently practice at venues across Northern Ireland.

(AQW 503/08)

Mr Poots: The responsibility for managing the Elite Facilities Capital Programme rests with Sport Northern Ireland. The programme is managed on a competitive basis against a set criteria and those projects which satisfied the criteria will proceed to the next stage. Unsuccessful applicants have been notified of their right to appeal.

British and Irish Sign Languages

Mr Butler asked the Minister of Culture, Arts and Leisure (i) what progress his department has made in progressing British and Irish Sign Languages; and (ii) to give a timescale within which his department will publish proposals for the provision of more tutors of sign languages, better interpretation services and the installation of specialist equipment in public offices.

(AQW 522/08)

Mr Poots: My Department continues to work in partnership with organisations representing the Deaf community to promote British Sign Language (BSL) and Irish Sign Language (ISL) and to educate and inform the wider community. In addition my Department chairs a Sign Language Partnership Group bringing together representatives from Government Departments and the Deaf community to consider ways to improve access to public services for users of sign languages.

Through the Sign language Partnership my Department funded research to identify options to increase the number of qualified tutors and interpreters. The options identified in the report fall within the statutory remit of the Department of Employment and Learning (DEL).

DEL has secured funding from the Skills and Science budget for the current year for training provision for BSL and ISL tutors and interpreters and has made a bid via the Comprehensive Spending Review to fund training provision in subsequent years. DEL may be in a position to draw up proposals for further provision when the outcome of that bid is known.

DEL officials are currently examining costed proposals from Belfast Metropolitan College for the reintroduction of its NVQ Level 4 course in BSL. DEL officials also continue to liaise with colleagues in Wales regarding current and possible future provision there with a view to introducing appropriate proposals in Northern Ireland.

The installation of specialist equipment is a matter for consideration by individual Departments and offices in line with the needs of customers. While a number of systems, such as loop systems, are commercially available to assist those who use hearing aids, the range of systems designed to support sign language is currently very much more limited. Text based systems can be of benefit to both sign language users and the hard of hearing but by their nature use written text and therefore do not specifically support sign language.

EDUCATION

Counselling in Schools

Mr D Bradley asked the Minister of Education, with reference to the announcement made by her predecessor in October 2006, to outline the arrangements that have been put in place to provide counselling in schools; and, in particular, to detail (i) who will carry out the counselling; (ii) what level of qualification will be required for the posts; and (iii) what will be the basis of the contract of employment for such counsellors. (AQW 128/08)

The Minister of Education (Ms Ruane): Following a public tender in Autumn 2006, Contact Youth have been contracted to provide an independent counselling service to all post primary schools who wish it.

The tender specified that Contact Youth are required to employ counsellors who have attained a Diploma in counselling and who are accredited with a recognised counselling body or who are working towards the said

accreditation. As well as having recognised counselling qualifications counsellors will have experience of working with children and young people.

The counsellors, who are employed by Contact Youth, are required to provide a total of 3500 counselling hours throughout the North of Ireland as specified by the Department.

Workforce

Mr Simpson asked the Minister of Education to detail the meetings she has had with business leaders in Northern Ireland, to ascertain how best to enhance the ability of the education system to create a highly skilled workforce. (AQW 191/08)

Ms Ruane: Since taking up the post of Minister for Education, I have met representatives of the following groups on the dates specified:

Irish Association of Social, Cultural & Economic Relations:	03 July 2007
Confederation of British Industry:	25 July 2007
Ulster Farmers Union:	25 July 2007
Institute of Directors:	08 August 2007
Business in the Community	06 September 2007

Raising educational standards and ensuring young people have the necessary skills to progress into employment is crucial for the long-term economic success of the North of Ireland and I recognise that the Business sector has an important role to play in this process.

The revised curriculum focuses on developing the skills young people need for life and work in the 21st century. Employability, incorporating Entrepreneurship, is also an important part of the revised post-primary curriculum.

In addition, the Entitlement Framework will guarantee all pupils access to a greater range of vocational courses, equipping them with the professional and technical skills that business and industry needs. Pupils will be able to access courses appropriate to their individual needs, interests and aspirations, providing a wider choice at age 14 and an even wider choice at age 16.

To support pupils in making their choices and decisions about their futures, we are working to develop high quality careers education, information advice and guidance.

All of this will be set within a broader strategic framework for 14-19 provision, on which DE and DEL are currently engaged, ensuring that our young people are equipped with the knowledge and skills to take their place in an increasingly global workforce.

Assembly Questions

Mr Butler asked the Minister of Education to provide a breakdown of the total cost of, and time spent on, answering Assembly questions for written answer submitted to her department since she took up office. (AQW 241/08)

Ms Ruane: The information requested is not collected. However between the 08 May and 14 September 2007 the Department of Education has had 344 assembly written questions tabled.

The table below shows the number of written questions tabled to each Department in the North of Ireland between the 08 May and 14 September 2007.

Department	No. of Written Question
OFMDFM	118
DARD	95
DCAL	153
DEL	102
DETI	99
DOE	197
DFP	86
DHSSPS	251
DRD	263
DSD	147

Note: figures supplied by the Assembly Business Office

Childminding

Miss McIlveen asked the Minister of Education what consideration she has given to the Northern Ireland Childminding Association's proposed childminder start-up package; and what action she will take in relation to these proposals. (AQW 260/08)

Ms Ruane: Officials from the Department met with the Director of NICMA on 21st August 2007. At this meeting NICMA was asked to undertake further work in order to demonstrate the benefits, in terms of increased uptake, of introducing a start up grant. NICMA was advised that future consideration may be given to establishing a minimum training standard for childminders.

It was agreed that this further evidence would be provided and when the information is available, I will be happy to convene a meeting with NICMA to discuss the proposals.

St. Colmgall's Primary School

Mr Burns asked the Minister of Education, pursuant to her reply to AQW 364/07, to advise whether or not the consultation exercise for a nursery unit at St. Colmgall's Primary School has been completed; whether or not the development proposal has been published; and, if so, what recommendations have been put forward in the development proposal. (AQW 293/08)

Ms Ruane: The Council for Catholic Maintained Schools (CCMS) has advised the Department that the consultation with the school's governors, staff and parents was completed by the end of June 2007 and that they intend to forward the proposal to the North Eastern Education and Library Board by the end of September for subsequent publication.

CCMS advise that the wording of the proposal will state that 'a single unit Nursery with 26 part-time places to replace existing reception provision be established at St Comgall's Primary School, Antrim, with effect from 1 September 2008 or as soon as possible thereafter.'

Ulster Scots

Mr Shannon asked the Minister of Education if she will explain why her letter dated 19 July 2007, to staff in the South Eastern Education and Library Board, provided an Irish translation but no translation into Ulster-Scots. (AQW 296/08)

Ms Ruane: The letter updating staff on the RPA developments was written in English, two paragraphs of which were translated into Irish. This reflects my commitment as an Irish speaker to respect the Irish language and reflect it in an appropriate way in departmental communications, consistent with the European Charter for regional or minority languages.

I fully respect Ulster-Scots and my department will be happy to accommodate, as far as is possible, those who wish to seek Ulster-Scots translations of departmental communications.

Disability Access

Mr Simpson asked the Minister of Education if she will make a statement on disability access to buildings for which her department has responsibility. (AQW 327/08)

Ms Ruane: Regarding school buildings, the Special Educational Needs and Disability (Northern Ireland) Order 2005 (SENDO) requires the Education and Library Boards and other school authorities to review and if necessary improve physical accessibility. They are required to prepare an access audit and access manage-

ment plan which should prioritise the work required to the school. The first step in this process is to undertake an access audit of each school by a consultant specifically qualified to carry out such audits.

The Department has made funds available to enable access audits to be carried out and work agreed to improve physical access to schools. These audits are currently underway. Provision will normally take the form of toilets for disabled pupils and provision of access ramps, handrails, chair lifts and in some cases, the provision of lifts.

All new school buildings have to comply with the Building Regulations Northern Ireland 2000 and should be physically accessible to pupils with a disability.

Regarding the Department's buildings at Rathgael House, Bangor and Waterside House, Derry, both buildings are fully accessible and comply with the Disability Discrimination Act.

Financial Deficits

Mr Storey asked the Minister of Education to detail the number of schools, broken down by sector, that have been running on a financial deficit, in each of the last five years. (AQW 337/08)

Ms Ruane: The number of schools in each of the last five years is as follows:

	2002/03	2003/04	2004/05	2005/06	2006/07
Controlled	210	224	219	216	165
Maintained	214	217	231	235	172
Irish Medium	4	5	6	5	7
Integrated	7	8	8	5	5
Voluntary Grammar	13	9	8	11	13

Air Quality at Anahorish Primary School

Mrs O'Neill asked the Minister of Education, in relation to fumes being emitted from a factory in close proximity to Anahorish Primary School in Toomebridge, if she will confirm that an air quality assessment will be carried out at the school as soon as possible, to establish whether or not the fumes are harmful to children attending the school. (AQW 343/08)

Ms Ruane: My Department has commissioned a series of air quality tests to establish the origin and type of fumes reported at the school. It is expected the results will be known by the end of October.

Conlig Primary School

Dr Farry asked the Minister of Education, pursuant to her answer to AQW 445/07, what plans she has to meet a delegation of parents and staff from Conlig Primary School, to discuss their development proposal to transform the school to controlled integrated status. (AQW 349/08)

Ms Ruane: My previous answer explained that I am content to meet with a delegation once the development proposal is published. The South Eastern Education and Library Board have advised that the development proposal is expected to be published shortly.

Commissioners

Mr Spratt asked the Minister of Education to detail the total expenditure on each commissioner currently employed by the South Eastern Education and Library Board. (AQW 382/08)

Ms Ruane: The South Eastern Education and Library Board has advised that the total expenditure on the four commissioners from 6 July 2006, when they were first appointed, until the end of August 2007 is £114,383. The breakdown of the amounts paid to individual commissioners is £35,956, £28,067, £27,537 and £22,823.

Parkhall School, Antrim.

Mr Burnside asked the Minister of Education to provide an update on the progress of new buildings at Parkhall School, Antrim. (AQW 458/08)

Ms Ruane: Planning of a new school building for Parkhall College, Antrim is being taken forward by the North Eastern Education and Library Board. A revised Stage D submission (providing final sketch plans and costs) is expected to be submitted to the Department for consideration in the near future.

EMPLOYMENT AND LEARNING

Cost of Staff Team Building Days

Mr Moutray asked the Minister for Employment and Learning to detail the total cost of (i) staff away days; and (ii) staff team building exercises carried out by his department, in each of the last three years. (AQW 331/08)

The Minister for Employment and Learning (Sir Reg Empey):

	Total
April 04 to March 05:	£50,275
April 05 to March 06:	£46,346
April 06 to March 07:	£62,439

Apprenticeships

Mr Shannon asked the Minister for Employment and Learning what steps he is taking to renew interest in apprenticeships, in light of the decrease of 51 in the number of applications for apprenticeships in 2006/07, compared to the previous year. (AQW 420/08)

Sir Reg Empey: As at 25 September a comparison of Modern Apprenticeship start figures for 2005/06 and 2006/07 shows a decrease of 53, about 1.5%.

The new professional and technical training provision, Training for Success, introduces Level 2 Apprenticeships in addition to Level 3 Apprenticeships. As part of the 'Make it Happen' advertising campaign for Training for Success the Department also specifically targeted employers with 'Create a Prodigy'. It is intended that a level of promotion of apprenticeships will be maintained over the coming year.

Currently there are two pilots running for 14 to 16 year olds that will prepare school leavers to progress into apprenticeships. The Department is exploring with DENI, the Education Training Inspectorate and the Learning and Skills Development Agency how this approach can be advanced as part of the schools Entitlement Framework. My Department is also working with the Sector Skills Councils to develop Sector Skills Agreements and encourage greater employer engagement

Apprenticeships

Mr Shannon asked the Minister for Employment and Learning if he will outline how the number of apprenticeships awarded in manufacturing industry in Northern Ireland compares to those awarded in Great Britain, per head of population, in the years (i) 2004/05; (ii) 2005/06; and (iii) 2006/07. (AQW 436/08)

Sir Reg Empey: Overall, the structure of training differs throughout the UK. In Northern Ireland, apprenticeships are open to young people aged 16 to 24 who are either entering employment for the first time or meet specified criteria for existing employees. Under the former Jobskills programme, Traineeships were set at Level 2. Now, under the new Training for

Success provision, there are both Level 2 and Level 3 Apprenticeships. Unlike the rest of GB there are no adult apprenticeships funded by the Department.

It is therefore not possible to compare training provision ratios on a like for like basis with GB. However, the table below shows 'apprenticeship starts' over the last three years throughout the UK. Figures for Wales for 2006/07 have yet to be published.

	2004 -2005	2005-2006	2006-2007
NI Level 3	3,410	3,325	3,278
NI Level 2	4,760	4,495	4,600
England Level 3	53,893	50,628	54,845
England Level 2	134,504	120,682	125,266
Scotland 16-24	13,957	13,106	13,259
Scotland 25+	6,209	5,685	2,415
Wales Level 3	9,360	9,245	Not Published
Wales Level 2 under 18	15,250	18,835	Not Published

University Applications

Mr McClarty asked the Minister for Employment and Learning, pursuant to his answer to AQW 16/08, to outline the factors he has identified to explain the fall in applications from Northern Ireland domiciled students to universities in the United Kingdom, broken down by (i) those aged 21-24; and (ii) those aged 25 and over. (AQW 438/08)

Sir Reg Empey: My Department has examined the most recent figures published by the Universities and Colleges Admissions Service (UCAS) on 12 September 2007 which show that there has been a 0.9% increase in the number of NI domiciled applicants ie students accepted to UK institutions between Academic Years 2006/07 and 2007/08. Within the figures, those students in the 21 to 24 years and over 25 years categories represent a relatively small proportion, 14% of the total number, and the drop in their numbers of 151 is offset by an increase of 268 in the under 21 years category.

It should be borne in mind that these figures are provisional and it is too early to draw any firm conclusions from them. My Department will continue to monitor UCAS figures as further information becomes available.

Review into Higher Education

Mr McClarty asked the Minister for Employment and Learning, pursuant to his answer to AQW 15/08,

if he will give further details on (i) the progress made by his department in setting the terms of reference of, and remit for, the independent review into higher education; and (ii) whether or not such a review will have the same level of independence as that afforded to Dr Andrew Cubie's committee, established by the Scottish Executive in 1999. (AQW 439/08)

Sir Reg Empey: When government introduced variable tuition fees in AY2006/07, it made a commitment to review these arrangements, 3 years after their introduction, to inform future policy on the funding of students and the higher education sector.

In England, it is proposed to establish an independent Commission reporting to Parliament. As a substantial number of Northern Ireland students study elsewhere in the UK, I have asked my officials to liaise with counterparts in other jurisdictions operating variable fees to ensure that, when we are initiating the Northern Ireland review in AY2008/09, we take a consistent approach where appropriate.

Further Education

Mr Weir asked the Minister for Employment and Learning what action he is taking to ensure that Further Education Colleges offer access to education for all, and in particular to financially disadvantaged groups such as the elderly and disabled. (AQW 469/08)

Sir Reg Empey: Through its six new colleges, comprising 48 campuses and 876 outreach centres, the further education sector offers an extensive range of professional and technical and recreational provision for adult learners from a wide and varied range of backgrounds and ages. My department is also developing a policy to further increase learner access and engagement, focussing particularly on those who are reluctant to enter further education, and consultation on these arrangements is expected to take place later this year.

Further Education colleges receive funding for students, including those students with a disability, through the Department's Further Education Funding Formula. In addition, the Department provides further financial assistance to colleges through the Additional Support Fund, which enables colleges to provide assistance to those students who need additional support on account of a disability, and through the Support Fund, which is designed to assist any student who may encounter financial hardship to access further education courses.

However, I would confirm that, as incorporated bodies, colleges are responsible for setting the level of fees, including concessionary fees, for the courses they provide. In doing this, colleges' fees policies take account of learners' ability to pay.

Student Loans

Mr Shannon asked the Minister for Employment and Learning to detail the number of students in Northern Ireland who took out student loans, in each of the last four years. (AQW 572/08)

Sir Reg Empey: The number of Northern Ireland students who took out student loans in each of the last four years is as follows:

Academic Year	Maintenance Loan	Tuition Fee Loan
2003/04	34,555	0
2004/05	35,256	0
2005/06	36,338	0
2006/07	36,380	17,965

ENTERPRISE, TRADE AND INVESTMENT

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the total amount of land currently owned by Invest NI. (AQW 401/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): Invest NI holds 2,793 acres of land across Northern Ireland.

Approximately 1,973 acres of its estate is already occupied by its Client Companies leaving 820 acres currently available for industrial use.

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the amount of land Invest NI has released for development in the last year. (AQW 402/08)

Mr Dodds: In the year ended 31 March 2007 Invest NI sold 75 acres of land.

At 31 March 2007 Invest NI had 862 acres of land available for sale or lease to its client companies

Tourist Events

Mr Shannon asked the Minister of Enterprise, Trade and Investment to outline the co-ordination arrangements that exist between his department, the Northern Ireland Tourist Board, the Northern Ireland

Events Committee and district councils, with regard to larger tourist events in Northern Ireland.

(AQW 432/08)

Mr Dodds: The Department of Enterprise, Trade and Investment (DETI) does not have direct responsibility for tourist events. However, as the sponsor Department for the Northern Ireland Tourist Board (NITB), DETI is working with the Department of Culture, Arts and Leisure on the merger of the Northern Ireland Events Company (NIEC) with NITB. This is due to take place on 1 April 2008.

The NIEC is the body responsible for delivering an Events Strategy for Northern Ireland. NITB currently supports it in this role and NITB's Chief Executive is represented on the NIEC Board. The NIEC also works closely with local Councils to facilitate sponsored events which take place in their respective Council areas.

Regional Tourism Partnerships

Dr Farry asked the Minister of Enterprise, Trade and Investment to report on the future of Regional Tourism Partnerships, within the context of the Review of Public Administration. (AQW 445/08)

Mr Dodds: Local delivery and development of visitor services and servicing is a key element of raising the profile of the tourism industry across Northern Ireland and providing visitors with the quality of services and facilities they want and need.

With 26 councils there is a need for regional co-ordination which may be somewhat lessened if there were a reduced number of councils – proposals under the Review of Public Administration include responsibility for a number of local tourism functions to be transferred to the new councils.

Details of exactly what this means have still to be firmed up as does the number of councils. In the circumstances it would be premature to make a definitive comment about the long term future of regional development structures for tourism.

Broadband Internet

Mr McElduff asked the Minister of Enterprise, Trade and Investment to detail those villages and other rural areas in West Tyrone that do not have broadband access; and to outline his department's strategy and timetable for delivering 100% broadband availability in West Tyrone. (AQW 514/08)

Mr Dodds: Broadband access with speeds of no less than 512 kilo bits per second have been available to all of Northern Ireland since December 2005. This includes every village and rural area of West Tyrone

and is delivered either through telephone lines, wireless or satellite services. Often consumers can choose from more than one provider.

Invest NI

Mr Hilditch asked the Minister of Enterprise, Trade and Investment to detail the number of businesses that have been assisted by Invest NI's business start-up programme that survive, after they have completed the programme. (AQW 523/08)

Mr Dodds: An independent evaluation of the Start a Business Programme carried out in 2006 showed that 78% of businesses surveyed were still trading 3 years after receiving the initial support. This 3-year survival rate is better than the UK average which is estimated at around 73%.

Asbestos

Mr Peter Weir asked the Minister of Enterprise, Trade and Investment to detail the number of people employed in Northern Ireland, who are working in buildings that contain asbestos. (AQW 594/08)

Mr Dodds: As there is no legal requirement to notify government of the presence of asbestos in buildings, these figures do not exist.

ENVIRONMENT

Draft Area Plans

Mr McGlone asked the Minister of the Environment to detail the cost of preparing the following draft Area Plans: (i) Ards and Down; (ii) Magherafelt; (iii) Northern; (iv) Banbridge and Newry and Mourne; and (v) all other Area Plans in the earlier stages of preparation, including the cost of all Judicial Reviews, public inquiries, legal advice, consultation processes etc. (AQW 253/08)

The Minister of the Environment (Mrs Foster): While I am not able to provide the cost of preparing individual draft Area Plans, I am able to provide estimates for the overall expenditure of Divisional Plan Teams, some of which are involved in the preparation of one or more draft Area Plans. The figures represent the best estimates available from current accounting procedures and obviously reflect the recorded position at this time.

Team	Period	Costs £ (exclusive of salaries and GAE)
Belfast Metropolitan Plan Team ¹	Sep 00 - Aug 07	1,488,905
Ballymena ²	Jan 00 - Aug 07	441,964
Craigavon ³	Feb 00 - Aug 07	693,503
Downpatrick ⁴	Jan 99 - Aug 07	565,938
Coleraine ⁵	Mar 01 - Aug 07	305,922
Omagh ⁶	Sep 04 - Aug 07	224,857
		3,721,089

¹ includes Belfast Metropolitan Area Plan and Belfast HMO Subject Plan

² includes Antrim/Ballymena/Larne and Magherafelt Area Plans

³ includes Banbridge & Newry and Mourne and Armagh Area Plans

⁴ includes Ards/Down Area Plan

⁵ includes Northern Area Plan and Coleraine HMO Subject Plan

⁶ includes West Tyrone Area Plan

These estimated costs also include legal costs where appropriate and plan production costs but exclude wages and general administrative expenditure.

The staff complement of Divisional Plan Teams varies depending on business priorities at any particular time and work of the teams includes other routine planning duties beyond plan preparation.

Dibney Rivers Pollution

Mr Shannon asked the Minister of the Environment if she will give details of the ten incidences of pollution at the Dibney Rivers since January 2004; and if she will explain why the Environment and Heritage Service did not initiate prosecution. (AQW 299/08)

Mrs Foster: Where pollution occurs it is the policy of EHS to take formal enforcement action, if this is warranted by the severity of the pollution and the circumstances which led to it occurring. In deciding what, if any, action to take in each case, EHS aims to ensure that enforcement is consistent, proportionate and transparent.

In the period 1 January 2004 to date, no formal enforcement action was initiated in relation to the twelve confirmed pollution incidents impacting on the Dibney River, including two incidents which occurred since my previous correspondence. The enforcement action taken depends on the circumstances of each individual case and takes into account issues such as the severity of the incident, the sufficiency of evidence and whether or not a prosecution would be in the public interest.

Enforcement action will normally be progressed for medium severity pollution incidents. EHS does not normally initiate prosecution proceedings for water pollution incidents that are determined as being of low severity unless the incidents are from the same source over a period of time and they meet the criteria laid down in enforcement policy.

Eleven of the twelve confirmed water pollution incidents, in the Dibney River catchment since 1 January 2004, were determined to be of low severity; one was of medium severity. The source of the majority of the low severity incidents, and of the medium severity incident, was confirmed as being DRD Water Service. Enforcement action could not be taken forward as DRD Water Service was part of central Government and could not be prosecuted for pollution offences under 'crown immunity'.

On 1 April 2007 discharge consent documents were transferred to Northern Ireland Water Ltd (NIWL) under Article 29 of the Water and Sewage Services (2006) Order. From that date discharges made by NIWL have been regulated under the Water (NI) Order 1999 in the same way as other external or private bodies.

National Parks

Mr Shannon asked the Minister of the Environment what action she is taking to safeguard the rights of landowners and farmers, in relation to any proposals for National Parks. (AQW 300/08)

Mrs Foster: The Mourne National Park Working Party presented me last week with its recommendations about the proposed Mourne National Park. I will seek the opinions of the Council for Nature Conservation and the Countryside and the Environment and Agriculture and Rural Development Committees. The views of these bodies will help me decide how to proceed.

Planning Applications

Mr Donaldson asked the Minister of the Environment to detail the number of planning applications that have been deferred for (i) an office meeting; and (ii) a site meeting, in each month since January 2005, broken down by district council area. (AQW 312/08)

Mrs Foster: The following table provides details of the number of planning applications deferred in each month between January 2005 and August 2007 by district council area. My Department does not record the reasons for deferrals on the IT system and it is therefore not possible to give details of the numbers deferred for office and site meetings respectively without checking each application file. This would entail disproportionate cost.

DEFERRED APPLICATIONS BY DISTRICT COUNCIL AREA JANUARY 2005 - DECEMBER 2005

	Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05
Antrim	58	60	46	40	46	38	36	30	15	0	34	18
Ards	17	60	50	69	0	62	17	22	27	6	0	5
Armagh	29	52	94	85	105	115	86	51	60	6	7	4
Ballymena	37	58	76	72	0	126	50	53	24	35	37	25
Ballymoney	33	85	50	70	0	77	39	49	37	9	34	15
Banbridge	34	67	53	48	0	94	0	71	46	11	11	14
Belfast	37	30	31	31	0	50	0	54	32	4	7	6
Carrickfergus	6	8	4	7	0	12	7	1	2	6	3	0
Castlereagh	9	6	7	0	11	9	8	1	6	7	0	7
Coleraine	19	41	75	62	2	87	33	69	28	30	23	24
Cookstown	29	35	47	59	62	33	42	0	65	39	37	37
Craigavon	10	55	26	1	0	55	60	14	27	7	11	5
Derry	22	18	22	29	0	34	19	0	23	14	18	12
Down	41	73	94	67	0	239	93	57	45	10	7	0
Dungannon	46	101	62	62	103	131	2	111	55	55	50	28
Fermanagh	43	96	101	48	2	210	52	1	110	39	39	35
Larne	11	17	7	7	0	31	12	8	24	7	10	2
Limavady	21	24	16	28	0	103	1	184	11	11	5	7
Lisburn	7	76	75	24	0	54	24	22	14	14	17	0
Magherafelt	120	204	116	0	0	338	0	136	77	37	42	31
Moyle	24	41	12	27	11	47	12	10	8	16	7	3
Newry and Mourne	82	176	118	118	0	244	129	72	95	12	17	21
Newtownabbey	8	3	7	1	4	0	3	0	1	0	0	0
North Down	7	12	15	11	0	16	10	8	10	3	2	3
Omagh	51	122	57	86	157	105	87	0	109	96	0	57
Strabane	29	39	33	43	38	49	0	33	31	19	21	39

DEFERRED APPLICATIONS BY DISTRICT COUNCIL AREA JANUARY 2006 - DECEMBER 2006

	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06
Antrim	23	28	32	30	27	12	17	11	4	7	13	6
Ards	2	1	1	3	1	0	0	0	2	0	0	4
Armagh	9	21	13	6	10	21	6	0	13	16	6	8
Ballymena	46	22	27	37	12	34	20	9	14	6	9	10
Ballymoney	20	17	18	12	22	31	7	24	4	7	3	4
Banbridge	10	15	13	13	3	11	0	13	6	6	10	7

	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06
Belfast	12	4	7	12	25	23	0	9	5	10	10	9
Carrickfergus	1	2	3	4	1	0	2	2	3	2	3	2
Castlereagh	5	3	1	6	0	3	2	2	7	1	1	3
Coleraine	27	33	26	22	26	38	37	19	15	9	24	15
Cookstown	20	42	32	40	14	42	25	1	139	48	1	37
Craigavon	4	3	4	2	5	7	5	7	4	4	4	6
Derry	20	18	8	3	19	12	13	0	15	5	15	12
Down	1	4	4	3	3	2	2	6	0	0	2	1
Dungannon	22	48	47	63	9	57	12	37	52	102	38	32
Fermanagh	47	47	77	91	71	52	66	0	108	21	30	73
Larne	8	7	7	5	4	5	11	8	6	5	6	8
Limavady	10	10	12	12	15	11	0	16	15	13	5	5
Lisburn	8	4	1	1	0	4	0	21	1	3	2	1
Magherafelt	26	27	24	36	15	34	0	0	19	21	10	8
Moyle	11	8	8	19	9	12	8	9	16	2	3	0
Newry and Mourne	14	13	18	21	4	16	17	24	4	7	6	8
Newtownabbey	0	0	0	0	0	0	0	0	0	0	0	1
North Down	1	7	3	4	3	2	1	2	2	0	3	4
Omagh	16	39	43	52	31	31	44	4	179	42	37	46
Strabane	22	34	27	16	5	26	0	50	48	9	8	0

DEFERRED APPLICATIONS BY DISTRICT COUNCIL AREA JANUARY 2007 - DATE

	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07
Antrim	3	4	7	13	11	17	4	6				
Ards	0	4	0	1	1	1	1	2				
Armagh	7	12	6	15	19	13	17	2				
Ballymena	9	2	22	0	2	8	6	2				
Ballymoney	6	7	8	12	8	9	8	4				
Banbridge	5	13	1	2	5	3	0	26				
Belfast	10	11	12	12	14	12	0	12				
Carrickfergus	1	0	4	2	3	3	2	3				
Castlereagh	1	3	3	2	3	0	6	0				
Coleraine	8	16	9	6	10	16	15	14				
Cookstown	26	17	15	13	18	15	17	0				
Craigavon	8	6	9	8	4	2	1	2				
Derry	9	13	1	8	14	19	7	0				

	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07
Down	1	0	0	0	1	1	0	0				
Dungannon	20	21	29	15	23	29	17	18				
Fermanagh	30	21	46	40	22	44	53	1				
Larne	3	6	1	8	2	9	4	6				
Limavady	9	6	0	11	9	4	0	10				
Lisburn	3	3	2	1	1	1	2	2				
Magherafelt	9	11	25	8	9	10	0	18				
Moyle	2	5	5	11	3	10	4	6				
Newry and Mourne	5	8	6	16	16	21	16	10				
Newtownabbey	0	2	0	1	0	1	0	0				
North Down	1	0	1	2	0	1	1	3				
Omagh	25	37	60	27	17	23	31	0				
Strabane	11	10	7	7	5	4	0	9				

Tullaghoge Fort

Mr McGlone asked the Minister of the Environment what plans she has, including those for financial investment, regarding the improvement and enhancement of Tullaghoge Fort, given the significance of the 400th anniversary of the Flight of the Earls. (AQW 317/08)

Mrs Foster: My Department is in the process of acquiring the site from DARD at a cost of £20,000, placing the monument in State Care under Articles 13 and 18 of the Historic Monuments and Archaeological Objects (NI) Order 1995. This will help to ensure the appropriate management of the site for the future.

My department's Environment and Heritage Service (EHS) has been working with Cookstown District Council to investigate the potential upgrading of the car parking and access arrangements to the site. The EHS has also been working recently with the Council to facilitate events commemorating the Flight of the Earls that have been held at the site, and will continue to do so.

Tullaghoge Fort

Mr McGlone asked the Minister of the Environment to detail the amount spent by the Environment and Heritage Service on Tullaghoge Fort, compared to expenditure on other, similar, nationally recognised heritage sites throughout Northern Ireland, over the last five years. (AQW 318/08)

Mrs Foster: My Department's expenditure at Tullaghogue Fort over the past five years has been £6,497.86.

The Department's Environment and Heritage Service (EHS) is in the process of acquiring the site from DARD at a cost of £20,000. This will assist us with the protection and management of the site.

EHS's expenditure over the past five years on 17 reasonably similar monuments in State Care range from £0 to £20,103.08.

Monuments that are scheduled, rather than in State Care, are, in some respects, comparable; total expenditure over the past five years for all of our scheduled monuments comes to a total of £87,658.69, of which £45,657.48 has been spent on 15 ringforts/ raths. The average spend on the latter category is £3,043.83.

Waste Offences

Mr Storey asked the Minister of the Environment, pursuant to her answer to AQW 125/08, if she will explain why the number of people prosecuted for waste offences has risen so sharply since the Environment and Heritage Service assumed responsibility for waste management. (AQW 374/08)

Mrs Foster: The rising number of convictions is a reflection of the extent of both current and historical illegal waste activities in Northern Ireland. While the number of convictions is rising, so is the seriousness with which they are viewed in the courts, with increasing

finances and prison sentences. The Environment and Heritage Service's (EHS) dedicated Environmental Crime Section is using enhanced legislation, interaction with other law enforcement agencies, accredited investigator training and stronger public awareness to tackle the illegal waste issue and ensure that those involved in such criminal activities are brought to justice. This is, of course, underpinned by the professionalism and commitment of EHS's investigators, who operate in often difficult personal circumstances.

MOT Test

Mr McGlone asked the Minister of the Environment to detail, broken down by MOT Test Centre, the number of vehicles that (i) passed; and (b) failed the test at first examination, in the years 2003/04; 2004/05; and 2005/06. (AQW 391/08)

Mrs Foster: The number of vehicles that passed and failed the first examination by test centre is detailed in the table below:

Test Centre	2003-2004		2004-2005		2005-2006	
	Pass	Fail	Pass	Fail	Pass	Fail
Armagh	16,005	5,535	11,332	3,884	14,892	5,406
Ballymena	32,497	8,795	34,957	9,291	31,806	9,196
Belfast	43,369	13,206	34,767	9,923	44,409	15,400
Coleraine	30,573	7,805	31,459	8,161	32,623	10,515
Cookstown	23,948	7,971	24,965	9,904	25,776	12,908
Craigavon	24,862	10,277	16,528	7,127	19,741	8,983
Downpatrick	22,251	6,410	24,612	7,203	19,746	6,525
Enniskillen	20,249	4,842	19,718	4,742	21,127	6,374
Larne	20,607	4,262	19,128	3,131	20,818	4,322
Lisburn	25,369	9,178	19,416	6,030	24,696	8,500
Londonderry	25,772	8,040	19,067	5,992	26,528	9,178
Mallusk	27,374	8,028	30,012	8,855	34,578	13,172
Newry	23,511	6,420	20,647	5,985	31,354	10,447
Newtownards	42,838	12,533	42,371	11,867	46,789	15,665
Omagh	13,771	4,847	16,583	5,599	17,186	7,552
Total	392,996	118,149	365,562	107,694	412,069	144,143

Special Preservation Order for the Irish Hare

Mr Shannon asked the Minister of the Environment to report on the outcome of the meeting with the Countryside Alliance, which took place on 16 July

2007, in relation to the Special Preservation Order for the Irish hare. (AQW 421/08)

Mrs Foster: Responding to a request from Countryside Alliance to discuss proposals for a new Special Protection Order (SPO) for the Irish hare, I met representatives from that organisation and the Irish Coursing Clubs on 13th August and a follow up meeting on 25th September. Discussions during these meetings were positive and gave me a valuable opportunity to understand the views of the country sports interests. I have advised the representatives of my decision to proceed with a new SPO for 2007/8 and this will be formally announced shortly.

Eel Grass in Strangford Lough

Mr Shannon asked the Minister of the Environment, in light of the importance of eel grass in Strangford Lough, as a source of food for migrating wildfowl, what steps she is taking to preserve and enhance the eel grass in the Lough. (AQW 422/08)

Mrs Foster: A large amount of research and survey of eel-grass beds has been undertaken in Northern Ireland and the habitat is covered by a Northern Ireland Habitat Action Plan. In Strangford Lough eel-grass beds are well-protected through a number of designations. Strangford Lough is designated as an Area of Special Scientific Interest (ASSI), Special Area for Conservation (SAC) and Special Protection Area (SPA). There are management objectives, arising from these designations, for the maintenance and enhancement of eel-grass beds. This is being achieved through the regulation of activities which could damage the beds, through raising public awareness of their importance and, where necessary, through direct management, such as the control of the invasive cord-grass and improvement in water quality. This has the potential to restore the intertidal habitat to a condition in which eel-grass can thrive.

Planning Applications

Dr Farry asked the Minister of the Environment what action she is taking to ensure the efficient processing of planning applications with a significant economic, social, community or environmental benefit. (AQW 444/08)

Mrs Foster: A new division has been created within Planning Service to focus specifically on planning applications which are of social or economic significance to Northern Ireland –including, potentially, applications which offer significant environmental or community benefit. There is also now a protocol for dealing with such applications – a protocol which focuses on

front-loading the planning process with constructive pre-application discussions and pro-active management of applications through the planning system. I am also developing proposals for a review of the whole planning system to address the delays which have created problems for applicants.

However, I would like to emphasise that an application can only pass through the planning process as quickly as the quality of the application and its supporting information will allow. To this end, there is clear onus on the applicant to ensure that any application is well prepared and is accompanied by all of the information that is necessary to determine it.

Control of Cormorants

Mr Shannon asked the Minister of the Environment to detail the number of licences that have been issued to control cormorants; and to list the rivers and loughs to which licences have been issued, in each of the last three years. (AQW 450/08)

Mrs Foster: 55 Licences to control Cormorants to prevent serious damage to fisheries were issued by Environment and Heritage Service between 2004 and 2006. Details of the areas these licences were issued for are shown on the attached Annex.

ANNEX

Year	No of Licences	Location
2004	18	<ul style="list-style-type: none"> • River Bush • Brantry Lough, Dungannon • Upper River Bann – Katesbridge to Lanadarg Bridge • Boghill Dam, Mullusk • Brantry Lough, Dungannon • River Foyle – upstream of Craigavon Bridge • River Faughan • Dundrum Dam • Moneycaragh River • Lough Doo Fishery • From Ballynure Headwaters of the Six Mile Water downstream to Doagh bridge (Ballyclare) • Corbett Lough • Lough Creevy, Saintfield • Tullywest Fisheries • Margy River System, Ballycastle • Dorisland Reservoir, Carrickfergus • Brantry Lough, Dungannon • Myroe Fishery, Limavady

Year	No of Licences	Location
2005	18	<ul style="list-style-type: none"> • River Bush • River Roe • Upper River Bann – Katesbridge to Lanadarg Bridge • River Maine – Glarryford to Corby • Dundrum Dam • Moneycaragh River • High Dam, Golden Glen, Glenvale • Upper and Lower Ballysallagh • Lower Bann and Tributaries • Loughs: Keenaghan, Navan, Forest Lakes, Scolban, Mill Lough, Bellanaleck, Corry & Corranarry • Corbet Lough • Lough Doo • Margy River System, Ballycastle • Donnybrewer Fishery • Lough Creevy • Lough Enagh • Ballysallagh Reservoirs • Upper Pond, Belfast Waterworks
2006	19	<ul style="list-style-type: none"> • River Roe • Upstream – Doagh Road Bridge to River above Ballynure and Tributaries • Boundaries of Randalstown Angling Club • River Maine – Glarryford to Corby • Lower Bann and tributary rivers • Ballykeel Lougherne, Portavoe, Lough Money • Brantry Lough • Corbett Lough • Upper River Bann • River Bush Catchment • Coolyermer Lough • Moneycaragh River • Dundrum Dam • Newtownards High Dam, Glenvale • River Faughan • Lough Creevy, Saintfield • Whitewater River, Kilkeel • Margy River System, Ballycastle • Maydown Trout Fishery

Planning Applications

Mr O’Loan asked the Minister of the Environment to outline what reconsideration will be given to all planning applications that have been refused on the

grounds of prematurity to the Draft Northern Area Plan. (AQW 491/08)

Mrs Foster: The Joint Ministerial Statement (January 2005) provides policy guidance in deciding whether or not a planning application is premature in the context of emerging plans. The decision-maker must have regard to a number of factors including for example the status of the draft Area Plan.

In the context of the draft Northern Area Plan my Department is considering the judgment in the legal challenge to the Strategic Environmental Assessment and its implications, in preparation for a remedies hearing. In the interim the draft Plan remains a material consideration in the determination of planning applications. In this context the judgement has no impact on applications refused on the grounds of prematurity issued prior to the judgement.

However my Department considers it prudent not to issue any further refusal decisions which have been determined under the draft Area Plan and also will be proposing a deferral of all applications where plan prematurity is a potential reason for refusal until the final decision of the Court is known.

This guidance will be reviewed following the final judgement and if necessary new policy guidance will be issued.

Giant's Causeway Visitors' Centre

Mr McKay asked the Minister of the Environment if she will publish immediately the Planning Service's report and recommendations on the private planning application for a Visitors' Centre at the Giant's Causeway, which was sent to the Planning Service Management Board earlier this year. (AQW 563/08)

Mrs Foster: This planning application is still being considered by Planning Service officials and until such time as a decision is made on the matter, I do not believe it would be appropriate to release a copy of the Planning Service report and recommendation.

FINANCE AND PERSONNEL

Competitiveness and Employment Programme

Mr Hilditch asked the Minister of Finance and Personnel to confirm what arrangements he has put in place to ensure (i) joined-up delivery of the overall EU structural funds for 2007/13 (Competitiveness and Employment Programme) between DARD, DETI and

OFMDFM; and (ii) effective communication with stakeholders. (AQW 267/08)

The Minister of Finance and Personnel (Mr P Robinson):

(i) Joined up delivery

Northern Ireland's Competitiveness and Employment Programmes for 2007-13 will promote and support economic regeneration throughout the region including urban, rural and border areas. Complementarity and coherence between actions financed by the Competitiveness and Employment Programmes, the Cross-Border Programmes, the European Agricultural Fund for Rural Development (EAFRD) and the European Fisheries Fund (EFF) has been provided for in the draft operational programmes.

Arrangements are in place through the joint Monitoring Committee for the Competitiveness and Employment Programmes to ensure a joined up approach to the delivery of these programmes and the other EU funded programmes for the period:

- EU Programme for Peace And Reconciliation (Peace III);
- INTERREG IV (Northern Ireland / Republic of Ireland / Western Scotland Cross-Border Co-Operation Programme);
- Northern Ireland Rural Development Programme (NIRDP); and,
- Northern Ireland European Fisheries Fund Programme.

DFP will chair the meetings of the Monitoring Committee with officials from DETI and SEUPB as members, and DARD and OFMDFM officials as advisors. This will ensure that the authorities responsible for the delivery of EU programmes are involved in the monitoring of the Competitiveness and Employment Programmes, can share the experiences with their own Committees and contribute to ensuring best practice solutions to any issues raised relating to the delivery of the programmes.

DFP will also continue to hold regular meetings of the interdepartmental EU Steering Group. Under the current structural funds programmes, DFP established this group to allow officials from all Departments to consider the issues relating the development and implementation of structural funds programmes. This group will also consider issues relating to the 2007-13 programmes. DETI, DARD and OFMDFM officials regularly attend these meetings along with DEL (Managing Authority for the ESF Competitiveness and Employment Programme) and SEUPB (Managing Authority for Peace III and INTERREG IV).

(ii) Communication with Stakeholders

The Competitiveness and Employment Programmes have been developed through extensive consultation with stakeholders. Annex 1 lists the engagement with stakeholders throughout the period of developing the new Structural Funds programmes for 2007-13.

The proposals for draft delivery structures in the new EU programmes do involve different methods of engagement for stakeholders such as local government. These differing arrangements reflect the individual aims, objectives and criteria of the various programmes. DARD, as Managing Authority of the EAFRD and EFF programmes, will be dealing predominately with rural Councils in recognition of the specific priorities of the Rural Development Programme. DETI, as Managing Authority of the European Regional Development Fund (ERDF) Competitiveness and Employment Programme, will engage with stakeholders on economic development issues along the lines of current arrangements such as existing structures for engagement with Councils through the Local Economic Development Network.

Communication with stakeholders will continue throughout the delivery of the programmes, primarily through the social and political partners represented in programmes' Monitoring Committees.

The joint Competitiveness and Employment Programmes Monitoring Committee will meet for the first time on 5 October 2007. Membership of this Committee includes nominated representatives from the following sectors:

- Community and Voluntary;
- Equality;
- Environment;
- Agri-rural;
- Trade Unions;
- Business;
- Education;
- Research; and,
- Local Government.

Civil Service Vacancies

Mr Durkan asked the Minister of Finance and Personnel to detail the location and number of existing vacancies in the Northern Ireland Civil Service at (i) Administrative Officer; (ii) Executive Officer II; (iii) Executive Officer I; and (iv) Staff Officer, in each Government department. (AQW 341/08)

Mr P Robinson: The location and number of vacancies in permanent posts in the Northern Ireland Civil Service at the grades of (i) Administrative Officer, (ii) Executive Officer 2, (iii) Executive Officer 1 and (iv) Staff Officer are set out in the attached table.

The figures, on a full time equivalent (FTE) basis, are broken down by each of the eleven NI Departments and their Agencies, and show the position at 20 September 2007.

Department	AO		EO2		EO1		SO	
	No.	Location (posts)	No.	Location (posts)	No.	Location (posts)	No.	Location (posts)
Agriculture & Rural Development (DARD)	28	Belfast (17), Newry (1), Londonderry (7), Cookstown (1), Ballymena (1), Coleraine (1)	11	Belfast(9), Londonderry(2)	3	Belfast	7	Belfast
Culture, Arts & Leisure (DCAL)	7	Belfast	3	Belfast	3	Belfast	7	Belfast
Education (DE)	14.6	Bangor (11), Londonderry (3.6)	5.4	Bangor (4), Londonderry (1.4)	5	Bangor (4), Londonderry (1)	6.4	Bangor (5.4), Londonderry (1)
Employment & Learning (DEL)	23.04	Belfast (14.52), Ballymoney (1.42), Newtownabbey (0.39), Londonderry (0.66), Enniskillen (1.27), Omagh (0.39), Antrim (1), Dungannon (1.81), Lurgan (1), Portadown (0.58)	12.27	Belfast (10.66), Limavady (0.42), Londonderry (1.19)	22.31	Belfast (9), Outside Belfast (13.31)	13.88	Belfast

Department	AO		EO2		EO1		SO	
	No.	Location (posts)	No.	Location (posts)	No.	Location (posts)	No.	Location (posts)
Enterprise, Trade & Investment (DETI)	6	Belfast	3	Belfast	2	Belfast	3	Belfast
Finance & Personnel (DFP)	4.82	Belfast	14.47	Belfast (13.51), Bangor (0.96)	5.79	Belfast (3.85), Bangor (1.94)	9.65	Belfast (7.72), Bangor (1.93)
Health, Social Services & Public Safety (DHSSPS)	9	Belfast(8), Londonderry(1)	4.5	Belfast	5	Belfast	9	Belfast
Environment (DOE)	62.5	Belfast (17), Lisburn (3.5), Coleraine (31.5), Omagh (3), Fermanagh (0.5), Enniskillen (2), Ballymena (1), Dungannon (1), Downpatrick (1), Armagh (2)	9	Belfast (8), Londonderry (1)	15	Belfast (12), Ballymena (1), Coleraine (2)	22	Belfast (19), Ballymena (1), Coleraine (1), Omagh (1)
Regional Development (DRD)	22	Belfast (14), Ballymena (1), Seaforde (1), Craigavon (2), Downpatrick (3), Coleraine (1)	12	Belfast(10), Ballymena(1), Coleraine(1)	12	Belfast(8), Downpatrick(1), Coleraine(1), Antrim(1), Omagh(1)	13	Belfast(12), Craigavon(1)
Social Development (DSD)	190.99	Greater Belfast (176.64), Outside Greater Belfast (14.35)	209.34	Greater Belfast (187.82), Outside Greater Belfast (21.52)	22.11	Greater Belfast (18), Outside Greater Belfast (4.11)	40.66	Greater Belfast (34.17), Outside Greater Belfast (6.49)
Office of the First & Deputy First Minister (OFMDFM)	5	Belfast (4), Londonderry (1)	3	Belfast	1	Belfast	8	Belfast
Total	372.95		286.98		96.21		139.59	

DSD: Due to the diversity of Social Security Agency locations it was not possible, in the time allowed, to obtain details of vacancies by specific location. The information has therefore been provided within 2 broad categories.

DSD figures show position at August 2007; all other Departments as at 20 September 2007.

DEL: The locations of the EOI (Careers Advisors) vacancies listed as Outside Belfast are still to be determined but will be based in the regional network.

Peace III

Dr Farry asked the Minister of Finance and Personnel what action he is taking to ensure that collaborative partnerships between district councils for the delivery of Peace III are consistent with the outcome of the Review of Public Administration, in respect of local government. (AQW 443/08)

Mr P Robinson: The Special EU Programmes Body's (SEUPB) guidelines on the delivery of Theme 1.1 of the PEACE III Programme, *Building Positive Relations at the Local Level*, encourage applications from self-defined cluster arrangements of councils until new local government structures are agreed and put in place by the devolved administration. It has been necessary for SEUPB to operate in accordance with EU timeframes for the development and launch

of the 2007-2013 Structural Fund Programmes, and therefore produce a strategy for the delivery of the PEACE III Programme in advance of an Executive decision on local government structures. Whilst the new local government structures and the date of their implementation are not yet known, it is expected that, the number of councils will be reduced. In the interim, SEUPB's approach is to encourage a move away from a 26 council model. The Body is therefore proposing that councils work together in anticipation of a reduction under RPA.

Rates Relief

Mr Burns asked the Minister of Finance and Personnel to detail the number of applications received

for disabled persons allowance in respect of rates relief, since the scheme began; and the number of applications that have been successful. (AQW 519/08)

Mr P Robinson: There have been 1,676 applications received under the revised scheme since 1 April 2007. To date 858 cases have been completed, of which 594 have been successful.

Rates Relief

Mr Burns asked the Minister of Finance and Personnel to detail the criteria used to determine eligibility for disabled persons allowance in respect of rates relief. (AQW 520/08)

Mr P Robinson: The criteria to determine eligibility are set out in Article 31A of the Rates (Northern Ireland) Order 1977, as inserted by Article 17 of the Rates (Amendment) (Northern Ireland) Order.

The criteria are based on the adaptations that have been made to the property in which the person with a disability lives. These are -

- A room other than a kitchen, bathroom or lavatory used mainly by the person with the disability.
- An additional kitchen, bathroom or lavatory for the use of the person with the disability.
- Sufficient floor space to permit the use of a wheelchair by, and which is required for, the person with the disability.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Ophthalmic Services

Mr Simpson asked the Minister of Health, Social Services and Public Safety to detail the total cost of ophthalmic services in Northern Ireland, for each of the last three years. (AQW 281/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey):

The total spend on General Ophthalmic Services for each of the last three years was:

2004\05	£14,395,215.71
2005\06	£15,867,844.74
2006\07	£16,279,840.66

It should be noted that this is Health Service spend only, as my Department does not hold information on spend by private optical practitioners.

Pharmaceutical Payments

Mr Simpson asked the Minister of Health, Social Services and Public Safety to detail (a) the total cost of pharmaceutical payments in Northern Ireland in the last three years; (b) the total net ingredient cost; and (c) the gross cost per person. (AQW 282/08)

Mr McGimpsey: The information requested is provided below.

	a	b	c
Prescribing Period	Total Cost of Pharmaceutical Payments Gross Cost	Net Ingredient Cost (Ingredient Cost After Discount)	Gross Cost Per Person
2004/2005	382,789,060.40	341,022,381.34	214.02
2005/2006	390,763,466.47	341,249,021.85	217.83
2006/2007	08,770,632.55	352,949,301.61	226.50

Source: Central Services Agency

The information provided relates to financial years

Patient Complaints

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 145/08, to detail the number of complaints made by patients against each hospital in Northern Ireland that were upheld; and what percentage of the total number of complaints about each hospital that this represented, for each of the last five years.

(AQW 283/08)

Mr McGimpsey: The information is not available in the format requested.

Prescriptions

Mr Simpson asked the Minister of Health, Social Services and Public Safety to detail (a) the average cost per prescription item in Northern Ireland in each of the last three years; (b) the total number of prescription forms; and (c) the average number of prescription items per person in each year. (AQW 284/08)

Mr McGimpsey: The information requested is provided below.

	a	b	c
Prescribing Period	Gross Cost Per Prescription Item	Total Number of Prescription Forms	Average Number of Prescription Items Per Person Registered to a GP in Northern Ireland
2004/2005	13.97	15,283,064	15.32
2005/2006	13.75	15,859,772	15.84
2006/2007	13.81	16,393,109	16.40

Source: Central Services Agency

The information provided relates to financial years

Artwork Expenditure

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 18/08, to detail the total amount spent by his department on art works, in each of the last five years. (AQW 285/08)

Mr McGimpsey: The asset registers for the Department and for Health Estates an executive agency of the department, do not have any art works recorded, nor were any recorded during the last five years. It is a requirement of the Departmental 'Capital Accounting manual' that any single asset costing £5,000 or more be recorded on the asset register.

A check of both asset registers show that over the last 5 years there have been no art works recorded.

Regional Respiratory Forum

Mr Simpson asked the Minister of Health, Social Services and Public Safety if he will provide an update on the formation and work of (a) the network of local multidisciplinary respiratory groups announced by his direct rule predecessor; and (b) the Regional Respiratory Forum. (AQW 286/08)

Mr McGimpsey: The document "A Healthier Future: A Strategic Framework for Respiratory Conditions" was formally launched on 15 March 2006. As recommended in the framework document, a network of local multidisciplinary respiratory groups has been set up to facilitate and co-ordinate the implementation of the strategy. The Regional Respiratory Forum recommended in the report has also been established.

The membership of the local multidisciplinary groups is drawn from a wide range of health care professionals and service users and they have drawn up work programmes based on the priorities for service development in their area. The work of these groups is overseen by the Regional Respiratory Forum which is comprised of representatives of the local groups, service users and regional voluntary and advocacy groups.

The Forum has also developed a full work programme to look at the development of regional and specialist services and is also working collaboratively with the Department to develop explicit standards to underpin the assessment, diagnosis and treatment services provided for people with respiratory conditions.

Respiratory Disease

Mr Simpson asked the Minister of Health, Social Services and Public Safety what progress has been made on the 10-year strategy to reduce respiratory disease in Northern Ireland, announced on 9 June 2005. (AQW 287/08)

Mr McGimpsey: The document "A Healthier Future: A Strategic Framework for Respiratory Conditions" was formally launched on 15 March 2006. As recommended in this framework document, a network of local multidisciplinary respiratory groups was set up to facilitate and co-ordinate the implementation of the strategy. These groups are the key drivers for securing the achievement of the service goals set out in the strategy and they have drawn up work programmes to take forward a wide range of initiatives designed to improve the range of services available in their areas

A Regional Respiratory Forum has also been established and is developing proposals for the development of a number of regional services. The Forum is also working closely with the Department to develop standards to underpin the assessment, diagnosis and treatment services delivered by healthcare professionals. It is expected that this work will be completed by June 2008.

One of the key recommendations in the framework document related to the development of patient education programmes to help people with respiratory problems manage their own conditions more effectively. The framework also recommended the introduction of case management arrangements designed to deliver intensive health and social care packages to patients with the most complex conditions to help reduce the number of unscheduled and emergency admissions to hospital because of respiratory problems. In 2006/07 the Department allocated £3m to enable GP practices to provide self-management training to enable people with asthma or chronic obstructive pulmonary disease

manage their own conditions more effectively. In 2007/08 the Department also allocated an additional £0.5m for the development of self-care and case management arrangements for people with respiratory conditions.

Gardening and Landscaping Expenditure

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 19/08, to detail the total amount spent by his department on gardening and landscaping, in each of the last five years. (AQW 288/08)

Mr McGimpsey: The total amount spent by Health and Social Care Trusts on gardening and landscaping is set out below. Table 1 provides details of the revenue (or on-going) expenditure and Table 2 provides an assessment of the landscaping costs associated with capital projects.

TABLE 1: REVENUE EXPENDITURE ON GARDENING CONTRACTS, AND GARDENING EQUIPMENT AND MATERIALS

Year	Amount £000s
2002/03	1,064*
2003/04	1,048
2004/05	949
2005/06	1,138
2006/07	Not yet available

* Includes estimate for two Trusts

Note: The cost of gardeners employed directly by HSC Trusts could not readily be separately identified and are excluded.

The landscaping element of capital projects includes fencing, footpaths, paved areas, kerbing, earth levelling, top-soiling, all grassed areas and all planted areas surrounding the building. It would be disproportionately expensive to seek to establish the precise cost of this element within the construction cost of each capital project undertaken by HSC Trusts over the last five years.

However the average cost of the landscaping element of capital projects undertaken within the Health Sector is approximately 0.5% of the total cost of each project. Applying the average percentage to the capital expenditure in health on new projects for the last five years gives the approximate amount spent on landscaping across all Northern Ireland Health Projects.

TABLE 2: ASSESSMENT OF LANDSCAPING COSTS ASSOCIATED WITH CAPITAL PROJECTS

Year	Estimated Cost £000s
2002/03	350
2003/04	480
2004/05	620
2005/06	640
2006/07	810

Artwork Expenditure

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 18/08, if the review into spending on artwork in healthcare facilities, announced on 24 August 2007, will require the total amount spent on artwork by each hospital to be made public. (AQW 289/08)

Mr McGimpsey: The Review into expenditure on Art in the construction and design of health and social care facilities will establish a clear policy on the matter, especially in regard to sources of funding and the use of public expenditure. The Department will ensure that the implementation of that policy will be appropriately monitored and that all relevant information on public expenditure will be made publicly available.

Northern Ireland Produced Beef

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the amount of Northern Ireland-produced beef used in each of the Health and Social Services Boards, in each of the last three years. (AQW 298/08)

Mr McGimpsey: The information requested is not held centrally.

Agenda for Change

Ms Ní Chuilín asked the Minister of Health, Social Services and Public Safety to give a timescale within which his department will conclude the Agenda for Change programme, and fund it accordingly. (AQW 304/08)

Mr McGimpsey: I have asked my officials to instruct Chief Executives within Health and Social Care organisations that the Agenda for Change matching exercise should be completed by the end of December 2007 and that all health and social care staff should be put on Agenda for Change rates by the end of March

2008. £101m has been provided to implement the Agenda for Change agreement in the current year.

Accident and Emergency Services at the Mater Hospital

Ms Ní Chuilín asked the Minister of Health, Social Services and Public Safety what assurances he will give that the Accident and Emergency Services at the Mater Hospital will continue to function on a 24-hour basis. (AQW 305/08)

Mr McGimpsey: The Mater Hospital has 24/7 Accident and Emergency service and there are no plans to change the current opening times of this service.

Breast Reconstruction

Ms Carál Ní Chuilín asked the Minister of Health, Social Services and Public Safety to detail the average waiting time for full and complete breast reconstruction, for women living in North and West Belfast. (AQW 306/08)

Mr McGimpsey: The average waiting time for full and complete breast reconstruction, for women living in North and West Belfast, as of 30th June 2007, is 48 days.

Ambulance Service Employees

Mr Buchanan asked the Minister of Health, Social Services and Public Safety to detail the number of Northern Ireland Ambulance Service employees who are based at the Omagh station; and the number of these who reside in the Omagh and Strabane District Council areas. (AQW 314/08)

Mr McGimpsey: The Northern Ireland Ambulance Service currently has 40 employees based at its Omagh station comprising one Station Officer, 13 Paramedics, 12 Emergency Medical Technicians (EMT) and 14 Trainee EMTs.

NIAS does not hold exact details of the Omagh and Strabane District Council boundaries. However, from those which can clearly be identified, it is possible to say that 14 staff live in the Omagh and Strabane District Council areas and 26 staff live outside.

Blue Light Ambulances

Mr Buchanan asked the Minister of Health, Social Services and Public Safety if he will clarify the protocol for blue light ambulances to stop at the Tyrone County Hospital, Omagh. (AQW 315/08)

Mr McGimpsey: The Surgery and Trauma Destination Protocol implemented by the Northern Ireland Ambulance Service (NIAS) on 31 March 2006 in response to changes in Tyrone County Hospital (TCH) acute services was agreed by the Western Health and Social Services Board (WHSSB), the former Sperrin Lakeland Trust (SLT) and NIAS. The protocol was also issued to local GPs.

The protocol stipulates that patients with abdominal pain, gastro-intestinal (GIT) bleeding, significant trauma or who are unconscious should not be taken by ambulance to TCH. Patients with medical problems, minor injuries including head injuries, simple fractures or nose-bleeds may continue to be taken to TCH. Where there is any doubt, the patient should not be taken to TCH.

In addition, a Paediatric Destination Protocol introduced in 2005 stipulates that children under 16 with anything other than minor injuries should not be taken to TCH but to hospitals with in-patient consultant paediatric services unless otherwise directed by a doctor.

Autism

Mr Buchanan asked the Minister of Health, Social Services and Public Safety to detail the number of people who have been diagnosed with autism in each of the last five years, broken down by Health and Social Services Board area. (AQW 316/08)

Mr McGimpsey: The information requested is not available.

Child Obesity

Mr Simpson asked the Minister of Health, Social Services and Public Safety if he will make a statement on levels of child obesity in Northern Ireland. (AQW 328/08)

Mr McGimpsey: To inform the development of the Fit Futures: Focus on Food, Activity and Young People Strategy with its specific focus on childhood obesity and to measure progress against the relevant Public Service Agreement and Investing for Health targets, administrative data is gathered from the Child Health System in each of the four Health and Social Services Boards in Northern Ireland. Information relating to the percentage of Primary 1 children in Northern Ireland who are obese is presented in Table 1 below:

TABLE 1: % OF P1 CHILDREN THAT ARE OBESE

NI - Male & Female	1997-98	1999-00	2002-03	2003-04	2004-05	2005-06
Northern Board	4.0%	4.6%	5.7%	5.0%	5.0%	5.0%

NI - Male & Female	1997-98	1999-00	2002-03	2003-04	2004-05	2005-06
Southern Board	4.1%	5.6%	6.1%	6.6%	5.9%	6.0%
Eastern Board	3.2%	4.0%	4.8%	5.7%	5.1%	5.0%
Western Board	4.0%	5.6%	6.1%	5.6%	6.1%	5.5%
NI	3.8%	4.8%	5.6%	5.7%	5.5%	5.2%

Source: Child Health System (NI). The figures above are calculated using the International Standard measurement for Obesity.

Although the percentage of Primary One children who are obese in Northern Ireland has grown from 3.8% in 1997/98 to 5.2% in 2005/06, the last two periods where data was collected indicate a slight fall in the percentage of Primary One children who are obese. The collection of this administrative data is now embedded in the Inequalities Monitoring System and is subject to annual updates.

Further to this, the recent publication of the NI Health and Social Wellbeing Survey 2005 has collected data relating to children's height and weight. Applying the International Standard measurement for Obesity to the survey data nearly one in ten (8%) of children (aged 2-15 years) were obese. It is intended that future Health and Wellbeing Surveys will continue to collect this data.

In addition, from September 2007, this Department has provided funding to collect and record BMI measurements through the School Nursing Service, of all year 8/9 pupils. This additional data will allow my Department to assess the need for further interventions in regard to childhood obesity.

Staff Team Building Days

Mr Moutray asked the Minister of Health, Social Services and Public Safety to detail the total cost of (i) staff away days; and (ii) staff team building exercises carried out by his department, in each of the last three years.

(AQW 334/08)

Mr McGimpsey: The total cost of (i) staff away days; and (ii) staff team building exercises in DHSSPS in each of the last three financial years is as follows:

	2004/05	2005/06	2006/07
Total cost of staff away days	£14,719	£30,082	£31,799
Total cost of team building exercises	£7,516	£11,037	£3,122

Stroke Units

Mrs O'Neill asked the Minister of Health, Social Services and Public Safety to detail all hospitals in Northern Ireland that have dedicated stroke units.

(AQW 342/08)

Mr McGimpsey: Information on the number of hospitals in Northern Ireland that have dedicated stroke units, at 21st September 2007, is shown in the table below.

Hospital	Number of Dedicated Stroke Units Available ¹
Belfast City Hospital	1
Mater Infirmorum Hospital	1
Royal Victoria Hospital	1
Ulster Hospital	1
Antrim Area Hospital	1
Altnagelvin Area Hospital	1
Erne Hospital	1
Craigavon Area Hospital	1
Daisy Hill Hospital	1
Northern Ireland	9

Source: Northern Ireland Health and Social Care Providers

1 – This is the number of dedicated acute stroke units. A number of hospitals in Northern Ireland also have a dedicated stroke rehabilitation unit.

Stroke Research

Mrs O'Neill asked the Minister of Health, Social Services and Public Safety to detail his department's expenditure on research into the prevention, treatment and management of strokes, in comparison to expenditure on heart disease research and cancer research.

(AQW 344/08)

Mr McGimpsey: The table below details the research expenditure for Stroke, Heart disease and Cancer committed by DHSSPS between April 1998 and March 2007.

Stroke	£509,073
Heart disease	£4,819,943
Cancer	£13,294,118
Total	£18,620,134

Source: Research and Development Office, Northern Ireland Health and Social Care Central Services Agency

Notes:

1. These figures detail expenditure on all associated projects up to 31 March 2007. It should be noted that some of the projects were still ongoing at this point.

Alcohol-related Illness

Mrs Hanna asked the Minister of Health, Social Services and Public Safety to provide, for each of the last three years, (i) an estimate of the percentage of NHS expenditure devoted to treating alcohol-related illness; and (ii) a breakdown, by Health and Social Care Trust, of all alcohol-related admissions to hospital, including admissions to Accident and Emergency, in number and percentage terms. (AQW 351/08)

Mr McGimpsey:

- (i) An estimate of the percentage of NHS expenditure devoted to treating alcohol related illness is not available. Information is not currently collected regarding details of A&E, outpatient community, or personal social service expenditure or activity at a sufficient level of detail in order to identify NHS expenditure on people with alcohol related

conditions. However, total expenditure on treating alcohol related illness in an inpatient or daycase setting in Northern Ireland was as follows:

Year	Cost (£m)
2005/06	10
2004/05	12
2003/04	13

Source: Trust HRG Costing Returns and Hospital Inpatient System

The above does not include the costs of treatment for such illnesses in primary, community, personal social service or outpatient settings.

- (ii) The number of admissions and percentage of total admissions to hospitals in Northern Ireland where there was a diagnosis of an alcohol related illness/condition, is presented in the table below:

HSC Provider	2003/2004		2004/2005		2005/2006	
	No. of Admissions	%	No. of Admissions	%	No. of Admissions	%
Belfast HSC Provider	2,839	1.5	2,794	1.4	2,796	1.4
Northern HSC Provider	1,537	1.8	1,640	1.9	1,610	1.8
South Eastern HSC Provider	1,124	1.5	1,387	1.8	1,363	1.7
Southern HSC Provider	1,161	1.5	1,313	1.7	1,379	1.7
Western HSC Provider	1,096	1.4	1,207	1.5	1,241	1.5
Northern Ireland Total	7,757	1.5	8,341	1.6	8,389	1.6

Source: Hospital Inpatient System

Notes: This table includes those patients who presented at an Accident and Emergency Department and were consequently admitted to hospital with an alcohol related illness.

- 1 Discharges and Deaths are used as an approximation to admissions. It is possible that any individual could be admitted to hospital more than once in any year and will thus be counted more than once as an admission.

Autism

Mr Butler asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQO 212/07, and in view of the increase in diagnoses of autism, if he can confirm that the review of service provision, gap identification, best practice and innovation has commenced; and to give a timescale within which he expects it to reach its conclusion. (AQW 359/08)

Mr McGimpsey: The Department is currently undertaking a review of autism service provision to identify gaps, share best practice and promote innovation. The Review Group will report to me by the end of December 2007.

Out-of-hours Care

Mr Brady asked the Minister of Health, Social Services and Public Safety to outline the findings of the joint working panel of the Mourne area on out-of-hours care. (AQW 360/08)

Mr McGimpsey: The joint working panel, comprising representatives elected by the community in the Mourne and the Southern Health and Social Services Board, recommended a Satellite GP Out of Hours Service be provided in Kilkeel, operating 8pm to 11pm each evening and 11am to 2 pm at weekends and public holidays.

The new service will commence in November and the panel agreed it would be funded by the resources currently used to finance the Brooklands Minor Injury Unit.

Victims of Domestic Violence

Ms J McCann asked the Minister of Health, Social Services and Public Safety, with reference to his comments in the Assembly on 29 May 2007, what systems he has put in place to strengthen measures to identify victims of domestic violence presenting at Accident and Emergency units and doctors' surgeries.

(AQW 361/08)

Mr McGimpsey: My Department is currently developing a resource manual in consultation with a range of health and social services professional bodies which is targeted at health and social service professionals. The manual will contain routine enquiry-type questions about domestic violence for use in health and social services consultations, such as those in A&E and is aimed at identifying victims of domestic violence. The manual is scheduled to be completed by end of March 2008

This will be in addition to the routine enquiry already carried out by maternity units with pregnant women.

Caring for Carers Strategy

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to outline the situation regarding the outstanding recommendations of the Caring for Carers Strategy.

(AQW 362/08)

Mr McGimpsey: My Department is committed to an ongoing programme of action to address all the recommendations of the Caring for Carers. Since the publication of Caring for Carers my Department has issued detailed practical guidance and imposed specific requirements on all Health and Social Care Trusts to ensure the delivery of key elements of the strategy. We are currently carrying out a review of progress on those requirements. My Department has recently commissioned an in-depth study of the support services available to carers, which will make important recommendations about the type of support that will best meets carers' needs in the future. This and other important aspects of the Strategy are all being taken forward in partnership with carers' representative organisations.

Cross-border Healthcare

Mr Doherty asked the Minister of Health, Social Services and Public Safety to outline the opportunities he will provide for more effective healthcare solutions to the problems faced by people living along the border; and to give an indication of the conclusions to be drawn from the cross-border pilot scheme, that is currently underway in the north-west.

(AQW 363/08)

Mr McGimpsey: It makes sense to pursue co-operation where it is in the mutual interests of the population on both sides of the border. The Belfast Agreement recognises this and has identified 5 areas of co-operation in health – Accident and Emergency services; planning for major emergencies; co-operation on high technology; cancer research and health promotion.

Co-operation and Working Together (CAWT) has conducted extensive work in taking this agenda forward. Also, my Department has been working closely with colleagues in Dublin on a number of healthcare issues, and we are currently undertaking an exploratory study to identify the potential of further areas of North South co-operation that could help enhance access to services and improve the health and wellbeing for the population of both jurisdictions.

An evaluation of the Cross Border Out of Hours pilot between Innishowen and Londonderry, which began on 10 January 2007, is currently being conducted, the outcome of which is expected in Spring 2008. Initial findings indicate that since the pilot started in January, 80 patients have used the service.

Carers

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to outline what progress his department has made in relation to requiring Health and Social Care Trusts to put the interests of carers at the heart of decision-making, through measures such as nominating a member of these Trusts to take responsibility for carers appointing a carers' co-ordinator.

(AQW 364/08)

Mr McGimpsey: The carers' strategy, *Caring for Carers*, proposed that Health and Social Care Trusts should take a number of steps to put carers at the heart of decision making. Since then, my Department has imposed a requirement upon Trusts to establish carers' reference groups in local areas, to nominate carers' co-ordinators and to identify a board member with responsibility for ensuring that carers are afforded appropriate priority with the Trust as a whole. My Department is currently carrying out a review of how these requirements have been implemented across Trusts.

Organ Transplants

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of organ transplants for people in Northern Ireland, that have taken place in (i) England; and (ii) the Republic of Ireland, in each of the last five years.

(AQW 377/08)

Mr McGimpsey: The number of organ transplants carried out in England and the Republic of Ireland for recipients resident in Northern Ireland, over the last 5 financial years are presented in the table below:

Nation of Transplant	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
England	27	28	28	31	26
Republic of Ireland	0	0	1	0	1
Total	27	28	29	31	27

Source: UK Transplant

Information given in the table above includes both living and deceased donor organ transplants.

Organ Transplants

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail, for each of the last five years, the number of organ transplants that have taken place in Northern Ireland, where the recipient was resident in Northern Ireland. (AQW 378/08)

Mr McGimpsey: The number of organ transplants carried out in Northern Ireland for recipients resident in Northern Ireland, over the last 5 financial years is presented in the table below:

Nation of Transplant	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Northern Ireland	47	53	47	30	45

Source: UK Transplant

Information given in the table above includes both living and deceased donor organ transplants.

Organ Transplants

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of (i) children under 18; and (ii) adults, who have received organ transplants, in each of the last five years. (AQW 379/08)

Mr McGimpsey: The number of transplant recipients, by age group, for transplants carried out in the United Kingdom, over the last 5 financial years is presented in the table below:

Recipient Age Group	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Adult	2,503	2,548	2,407	2,481	2,711

Recipient Age Group	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Children Under 18	239	269	249	222	266
Northern Ireland Total	2,742	2,817	2,656	2,703	2,977

Source: UK Transplant

Information given in the table above includes both living and deceased donor organ transplants.

Organ Transplants

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of organs that have been donated for (i) heart; (ii) lung; (iii) kidney; (iv) cornea; and (v) other transplants, for operations in (a) Northern Ireland; (b) Great Britain; and (c) the Republic of Ireland, in each of the last five years. (AQW 380/08)

Mr McGimpsey: At time of retrieval of the donated organ it is not possible to say in which country the organ transplant operation will take place.

- (a) The number of organs donated in Northern Ireland over the last 5 financial years is presented in the table below:

Organ donated	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Heart	12	6	11	4	7
Lung	14	13	9	7	15
Kidney	64	63	64	47	75
Cornea	26	32	14	30	30
Other	27	26	29	19	39
Total	143	140	127	107	166

Source: UK Transplant

Information given in the table above includes both living and deceased donor organ transplants.

- (b) The number of organs donated in Great Britain over the last 5 financial years is presented in the table below:

Organ donated	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Heart	156	175	157	136	151
Lung	229	288	270	259	245
Kidney	1788	1843	1818	1970	2130
Cornea	2963	3277	3124	3416	3729

Organ donated	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Other	760	742	731	774	849
Total	5896	6325	6100	6555	7104

Source: UK Transplant

Information given in the table above includes both living and deceased donor organ transplants.

Figures given for Great Britain include figures for the Isle of Man and the Channel Islands in addition to England, Scotland and Wales.

- (c) The numbers of organs donated in the Republic of Ireland over the last 5 financial years are presented in the table below:

Organ donated	Financial year				
	2002-03	2003-04	2004-05	2005-06	2006-07
Heart	29	16	13	14	22
Lung	21	23	14	22	19
Kidney	158	155	130	139	156
Other	77	82	71	64	74
Total	285	276	228	239	271

Source: UK Transplant

Cornea data is not collected for the Republic of Ireland. Information given in the table above includes both living and deceased donor organ transplants.

Organ Donor Cards

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of people in Northern Ireland who carry Organ Donor Cards; and what plans he has to increase this number. (AQW 381/08)

Mr McGimpsey: It is not known how many people in Northern Ireland carry Organ Donor Cards, however the number of Northern Ireland residents on the Organ Donor Register currently stands at just under 362,000 which equates to approximately 21% of the population.

Responsibility for promotion of the Organ Donor Register across the UK rests with NHS Blood and Transplant. Their national campaigns are supplemented locally by publicity organised through my Department and the transplant co-ordinators based in Belfast City Hospital.

Suicide

Mr Kennedy asked the Minister of Health, Social Services and Public Safety if he will provide an update on his department's prevention of suicide policy, with particular reference to the Newry and Armagh constituency. (AQW 383/08)

Mr McGimpsey: A Suicide Prevention Strategy was launched on 30 October 2006, and it contains over 60 actions that aim to reduce the rates of suicide. I have allocated over £3 million annually to support the Strategy's implementation.

Significant work has already been initiated regionally to implement the Strategy, including:

- a pilot self-harm mentoring scheme and a pilot telephone helpline;
- research into the effects of the troubles on mental health and suicide rates;
- a new Depression Awareness Training Programme for GPs and frontline primary care staff; and
- a new joint North/South public information campaign.

In addition, £1.8 million of the Strategy's funding has been invested, via the four local Health and Social Services Boards, to support communities. In 2007/08, £406,840 was allocated to the Southern Health and Social Services Board, including £82,420 and £29,670 to specifically tackle the disproportionately high rates of suicide in the Craigavon & Banbridge and Newry & Mourne Areas respectively.

The Southern Health and Social Services Board has established a local implementation group, involving representatives from the statutory sector, local communities and bereaved families, to agree the local allocation of this funding. Types of work underway within the Southern Health and Social Services Board area include:

- needs assessment with churches, religious groups and faith based organisations to explore their attitudes to, role in and potential needs in the area of Suicide Prevention and intervention,
- needs assessment with Young Men, and those who work with them, to explore issues which may cause them crisis, for example violence, anger and sexuality issues;
- roll out of appropriate training courses;
- community awareness raising sessions on suicide and self harm;
- supporting rehabilitation and vocational opportunities to individuals experiencing mental health problems;
- additional counselling services for individuals at risk;

- support for an Interdenominational Church Service in Newry to remember those who have lost their lives to suicide and those who still mourn them; and
- funding to develop and facilitate a rural community based response to suicide and self harm in the South Armagh area.

Biofuels

Mr P J Bradley asked the Minister of Health, Social Services and Public Safety if he will undertake to assess the health risks associated with gases released through the burning of biofuels, including comparisons, from a carcinogenic perspective, between the combustion gases produced by biofuels and the gases contained in carbon dioxide. (AQW 413/08)

Mr McGimpsey: My Department has no plans to carry out an assessment of potential health risks associated with emissions from the burning of biofuels.

The UK Biomass Strategy, published in May 2007, includes a commitment to ensure that when promoting the use of biomass, account is taken of combustion emissions and the impact of pollutants on public health. In order to do this, Government, led by Defra, will need to develop credible usage scenarios that identify what type of biomass will be used, where it will be used, the appliances to be used and what fuel it will displace. This work is on-going.

Health based standards and objectives for key air pollutants have been set in EU legislation and under the UK Air Quality Strategy. A national monitoring and assessment programme has been established to check compliance and identify trends. It is expected that any significant changes in emissions as a result of increased use of biofuels would be detected by the monitoring networks.

Section 56 of the Health and Social Care Act 2001

Ms Anderson asked the Minister of Health, Social Services and Public Safety to detail how his department will implement section 56 of the Health and Social Care Act 2001, in respect of the repatriation of patients in England, Scotland and Wales, to enable them to be close to their families in Northern Ireland.

(AQW 424/08)

Mr McGimpsey: The Health and Social Care Act 2001 extends to England and Wales only. The transfer of care home residents from Great Britain to Northern Ireland is outside my jurisdiction and is a matter for each of the respective jurisdictions in Great Britain. My Department, in conjunction with the Department of Finance and Personnel, has developed a scheme to

enable Northern Ireland residents to be placed in Great Britain. We are currently the only administration with a scheme to place care home residents in other parts of the United Kingdom.

Locally Produced Food

Mr Bresland asked the Minister of Health, Social Services and Public Safety to detail what efforts his department is making to procure locally-produced food. (AQW 456/08)

Mr McGimpsey: The Regional Supplies Service (RSS), the Centre of Procurement Expertise responsible for letting and managing contracts for Food Products on behalf of Health and Social Care Trusts, Boards and Agencies, has for some considerable time worked with agencies in Northern Ireland on initiatives to encourage local food producers to bid into the public sector. In the past 12 months RSS has sent senior level representation to a number of "Meet the Buyer" events across Northern Ireland. However, the majority of the contracts let for food contracts are above the EU thresholds and as such require the competition to be open, transparent and provide equitable treatment to bidders across the European Union.

Compensation for Medical Negligence

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 142/08, to detail the number of successful claims for compensation for medical negligence that were made against each Health and Social Care Trust, in each of the last five years. (AQW 485/08)

Mr McGimpsey: AQW 142/08 detailed amounts paid for clinical negligence for the years 2001-02 to 2005-06. Data for the 2006-07 financial year has recently become available and I have included details of claims for 2006-07 in this reply. These are contained in the following tables for each of the legacy Trusts.

ALTNAGELVIN HOSPITALS HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	43	15	7	21
2002/03	44	10	6	28
2003/04	54	6	10	38

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2004/05	31	4	1	26
2005/06	46	1	0	45
2006/07	35	0	0	35

ARMAGH AND DUNGANNON HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	4	1	2	1
2002/03	1	0	1	0
2003/04	3	0	0	3
2004/05	1	0	0	1
2005/06	5	0	0	5
2006/07	2	0	0	2

BELFAST CITY HOSPITAL HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	59	23	10	26
2002/03	37	11	4	22
2003/04	54	9	6	39
2004/05	50	5	2	43
2005/06	40	5	3	32
2006/07	41	0	3	38

CAUSEWAY HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	19	14	3	2
2002/03	15	8	1	6
2003/04	14	3	2	9
2004/05	11	2	1	8
2005/06	20	1	1	18
2006/07	19	1	0	18

CRAIGAVON AND BANBRIDGE COMMUNITY HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	0	0	0	0
2002/03	0	0	0	0
2003/04	1	0	0	1
2004/05	0	0	0	0
2005/06	0	0	0	0
2006/07	0	0	0	0

CRAIGAVON AREA HOSPITAL GROUP HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	38	10	21	7
2002/03	52	29	11	12
2003/04	40	14	9	17
2004/05	39	12	4	23
2005/06	36	8	4	24
2006/07	42	1	1	40

DOWN LISBURN HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	19	12	5	2
2002/03	38	25	5	8
2003/04	28	15	3	10
2004/05	55	6	26	23
2005/06	30	6	1	23
2006/07	35	0	1	34

HOMEFIRST COMMUNITY HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	2	2	0	0
2002/03	8	3	1	4
2003/04	5	1	1	3
2004/05	2	0	2	0
2005/06	1	0	0	1
2006/07	1	0	0	1

FOYLE HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	0	0	0	0
2002/03	3	1	0	2
2003/04	4	0	0	4
2004/05	3	0	0	3
2005/06	3	0	0	3
2006/07	0	0	0	0

MATER HOSPITAL HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	30	12	7	11
2002/03	20	10	3	7
2003/04	38	14	4	20
2004/05	20	7	0	13
2005/06	30	5	1	24
2006/07	28	0	0	28

GREEN PARK HEALTHCARE HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	16	14	0	2
2002/03	14	8	1	5
2003/04	10	6	0	4
2004/05	10	1	1	8
2005/06	18	0	1	17
2006/07	21	0	1	20

NEWRY & MOURNE HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	22	7	5	10
2002/03	21	8	2	11
2003/04	16	2	1	13
2004/05	14	0	2	12
2005/06	10	0	1	9
2006/07	1	0	0	14

NI AMBULANCE SERVICE HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	0	0	0	0
2002/03	1	1	0	0
2003/04	2	1	0	1
2004/05	2	0	0	2
2005/06	1	0	0	1
2006/07	1	0	0	1

SOUTH & EAST BELFAST HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	5	2	3	0
2002/03	1	0	0	1
2003/04	2	1	1	0
2004/05	1	0	0	1
2005/06	2	0	0	2
2006/07	0	0	0	0

NORTH & WEST BELFAST HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	7	3	4	0
2002/03	4	3	1	0
2003/04	1	0	0	1
2004/05	2	1	0	1
2005/06	7	1	0	6
2006/07	3	1	0	2

SPERRIN LAKELAND HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	17	3	6	8
2002/03	38	1	7	30
2003/04	20	3	3	14
2004/05	25	5	1	19
2005/06	26	1	0	25
2006/07	17	0	0	17

ROYAL GROUP OF HOSPITALS AND DENTAL HOSPITAL HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	77	37	12	28
2002/03	80	33	8	39
2003/04	82	26	9	47
2004/05	95	21	11	63
2005/06	77	6	1	70
2006/07	80	1	1	78

ULSTER COMMUNITY & HOSPITALS HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	42	16	7	19
2002/03	50	11	9	30
2003/04	39	4	4	31
2004/05	43	0	1	42
2005/06	49	5	2	42
2006/07	42	0	3	39

UNITED HOSPITALS HSS TRUST

Year	Number of claims for compensation for medical negligence made in each year	Current situation of those cases as at 30 September 2007		
		Dismissed No.	Settled or successfully pursued No.	Pending determination No.
2001/02	58	19	12	27
2002/03	43	10	8	25
2003/04	34	7	4	23
2004/05	59	7	9	43
2005/06	37	8	3	26
2006/07	66	3	0	63

Hospital Treatment

Mr Storey asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 209/08, to explain the reasons why the information requested is not available; and if he will instruct his department to keep such records. (AQW 506/08)

Mr McGimpsey: Pursuant to my answer to AQW 209/08, information is collected at Trust level to record type and severity of all reported adverse incidents including those where injury is caused to people, property, environment or reputation. The Department has no plans to collect information, as specified but will explore a possible link with the national reporting and learning system to improve reporting in the interests of developing safety solutions and learning.

Psychiatric Treatment

Mr Shannon asked the Minister of Health, Social Services and Public Safety what steps he has taken to provide psychiatric treatment to those identified with suicidal tendencies. (AQW 527/08)

Mr McGimpsey: A full range of services are provided to those identified with suicidal tendencies at a level proportionate to the assessed risk. These services include Mental Health Teams working in the community, Crisis Response Teams, Early Intervention etc including Child and Adolescent Mental Health Services, liaison mental health services into Accident and Emergency, out patient clinics, day hospital and inpatient services.

Care Matters Strategy

Ms Ni Chuilín asked the Minister of Health, Social Services and Public Safety what action he has taken to maximise the opportunity for children and young people to contribute to the Care Matters Strategy. (AQW 537/08)

Mr McGimpsey: The Care Matters Strategy is an innovative, wide-ranging, cross-departmental, cross agency approach to improving the outcomes of our looked after children population.

It is essential therefore that my Department obtain and take account of the views of care experienced children and young people to determine the final shape of this important initiative. To help achieve this goal a child-friendly version of the Care Matters Strategy was produced in conjunction with the Voices of Young people in Care (VOYPIC), a voluntary children's advocacy organisation with vast experience of working with looked after children. Copies of the document were distributed to children's residential homes and the homes of foster carers via the Health and Social Care Trusts. The launch of the child-friendly version of Care Matters was held in the Duke's Hotel, Belfast on Saturday 2 June facilitated by VOYPIC and attended by an audience of care-experienced children.

In addition, the consultation period for Care Matters was extended from the 15 June to the 3 September to ensure that everyone wishing to respond had adequate time particularly over the summer months. As we move forward I will wish to ensure that young people and their families have the opportunity to continue to contribute as we implement changes on the back of care matters.

Introduction of Fluoride into Drinking Water

Mr Shannon asked the Minister of Health, Social Services and Public Safety what plans he has to approve the introduction of fluoride into Northern Ireland's drinking water. (AQW 538/08)

Mr McGimpsey: Currently there are no plans to approve the introduction of fluoride into Northern Ireland's drinking water.

Attacks on Fire and Rescue Service

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of attacks on Fire and Rescue Service personnel, in each of the last three years. (AQW 539/08)

Mr McGimpsey: Details of the number of attacks which resulted in injury to Fire and Rescue Service personnel is set out in the table below.

2004/2005	2005/2006	2006/2007
9	7	7

Alzheimer's

Ms Ni Chuilín asked the Minister of Health, Social Services and Public Safety what assessment he has made of the estimated impact on the quality of life of people with early stages of Alzheimer's if drug treatments were to be withdrawn from the NHS.

(AQW 540/08)

Mr McGimpsey: The Department of Health Social Services and Public Safety has not assessed the potential impact on the quality of life for people in the early stages of Alzheimer's disease if drug treatments were to be withdrawn.

The Department is reviewing guidance on Alzheimer's drugs published by the National Institute for health and Clinical Excellence (NICE) in November 2006 and re-issued in September 2007 following judicial review. This guidance recommends certain anti-dementia drugs for the treatment of people with Alzheimer's disease of moderate severity only.

The local review process does not replicate the work of NICE or reassess the evidence and methodology used by the Institute to reach its recommendations. Rather, it considers the applicability of NICE guidance in the context of Health and Social Care services in Northern Ireland. The Department therefore relies on assessments of quality of life carried out by NICE.

Agenda for Change

Ms Ni Chuilín asked the Minister of Health, Social Services and Public Safety to (i) detail how many completion dates have been missed due to lack of human and financial resources; (ii) explain the rationale for such occurrences; and (iii) outline the accountability arrangements within the Agenda for Change process.

(AQW 541/08)

Mr McGimpsey: I have set one final date of 31 March 2008 for the full implementation of the Agenda for Change arrangements. I expect the Chief Executives in each of the Health and Social Care organisations to ensure that the necessary staff and arrangements are in place to deliver on that deadline. The Chairs in each of these organisations will be accountable to me if this deadline is missed. . My Department has made over

£100m available in the current financial year for the full implementation of these new rates of pay.

Workforce Planning

Ms Carál Ní Chuilín asked the Minister of Health, Social Services and Public Safety to produce a report from his department and NHS employers to indicate that appropriate workforce planning is in place to provide for future recruitment and retention.

(AQW 543/08)

Mr McGimpsey: The Department has established on-going workforce planning as a means of maintaining focus on the supply/demand of appropriately trained staff to meet service needs. The workforce planning cycle comprises a major review approximately every five years, with interim update reviews. These are carried out for each clinical professional group.

Published reviews can be found on the Departmental internet site at <http://www.dhsspsni.gov.uk/index/hrd/wpu/wpu-planning/wpu-publications.htm>

Coeliac Disease

Mr McGlone asked the Minister of Health, Social Services and Public Safety to detail the number of people diagnosed with coeliac disease, in each of the last ten years.

(AQW 553/08)

Mr McGimpsey: The number of people diagnosed with coeliac disease in Northern Ireland is not available.

Information on the number of patients suffering with coeliac disease admitted as inpatients to hospitals in Northern Ireland is available and is shown in the table below.

Financial Year	No. of Admissions
1996/97	354
1997/98	332
1998/99	326
1999/00	331
2000/01	392
2001/02	516
2002/03	430
2003/04	478
2004/05	532
2005/06	624

Source: Hospital Inpatients System.

It should be noted that any individual could have been admitted to hospital more than once during any

given time period and would therefore be counted more than once in the above figures.

North/South Regional Hospital Services Group

Mr McCartney asked the Minister of Health, Social Services and Public Safety what steps he is taking to further the development of a North/South Regional Hospital Services Group in regard to all-Ireland organ transplants, as stated by the North-South Ministerial Council in 2002. (AQW 570/08)

Mr McGimpsey: It makes sense to pursue co-operation where it is in the mutual interests of the population on both sides of the border. The Belfast Agreement recognised this and identified 5 areas of co-operation in health – accident and emergency services; planning for major emergencies; co-operation on high technology; cancer research; and health promotion.

In order to ensure that all possible benefits are maximised, my Department is undertaking an exploratory study to identify the potential of new areas of North South co-operation that could help improve access to services and enhance the health and wellbeing of the population. This study will examine all areas where co-operation could be beneficial including the area of small volume specialties such as transplantation.

Pay Scales

Ms Anderson asked the Minister of Health, Social Services and Public Safety what plans exist to place medical secretaries on a band four pay scale, as recommended by an independent pay review panel; and what plans he has to intervene in this matter, in advance of planned industrial action on 10 October 2007. (AQW 571/08)

Mr McGimpsey: Medical secretaries cannot be placed on their Agenda for Change pay band until the implementation process is completed in partnership with staff side representatives. My officials are working with HSC employers and staff side representatives to finalise this process. Dialogue between HSC employers and staff side representatives is continuing in an effort to avert the planned industrial action.

Wi-fi Wireless Network

Mr Shannon asked the Minister of Health, Social Services and Public Safety what plans he has to conduct a health and safety study, in advance of the introduction of the wi-fi wireless network in Belfast city centre. (AQW 590/08)

Mr McGimpsey: My Department has no plans to conduct health impact studies in relation to individual proposals for the introduction of Wireless local area networks (WLANs) or Wireless computer networks (WiFi). The Health Protection Agency (HPA) provides support and specialist advice to DHSSPS on a wide range of health protection matters including radiation protection. The HPA statement on WiFi is available on the HPA website at: http://www.hpa.org.uk/radiation/understand/radiation_topics/emf/wifi.htm

Current HPA advice is that there is no consistent evidence to date that WiFi and WLANs adversely affect the health of the general population. The signals are very low power, typically 0.1 watt (100 milliwatts) in both the computer and the router (access point) and the results so far show exposures are well within the internationally accepted International Commission on Non-Ionizing Radiation (ICNIRP) guidelines. Based on current knowledge and experience, radiofrequency exposures from Wi-Fi are likely to be lower than those from mobile phones. However, with any new technology it is a sensible precautionary approach to keep the situation under ongoing review. On 20 September 2007, the HPA Board agreed to fund a programme of work on WiFi and WLAN installations such as those used in schools and homes. Discussions are underway with partner agencies, especially those in the education sector. This project aims to systematically investigate the types of WiFi equipment in use and produce information on exposures to radio signals from wireless computer networks. The results will be compared with established international exposure guidelines and also with exposures from other commonly used sources of radio signals, including mobile phones. Account will be taken of the proportion of the time that the equipment is transmitting in normal use and how it is positioned in relation to the body. The project is timetabled over two years and will include:

- A critical review and summary of existing information relevant to exposures from WiFi.
- Detailed measurements of the power density in the vicinity of WiFi terminals in a controlled laboratory environment using robotic scanning equipment and compare the results with exposure guidelines.
- Identifying the effect of equipment design on exposures in terms of the types of antennas used and where they are mounted on computers.
- Gathering information on how the equipment is positioned in relation to children and staff in schools including a small number of measurements with equipment installed in schools for comparison with the laboratory measurements.
- Performing a health risk review considering the results of the above exposure assessments and information from published studies relating to the effects of radio frequency exposure on health.

HPA are expected to make a public announcement shortly about planned research into WiFi.

Wi-fi Network

Mr Shannon asked the Minister of Health, Social Services and Public Safety what double blind peer reviewed published studies are held by the department, proving that pulsed microwave radiation from wi-fi is safe for the population of Northern Ireland.

(AQW 593/08)

Mr McGimpsey: My Department has no plans to conduct health impact studies in relation to individual proposals for the introduction of Wireless local area networks (WLANs) or Wireless computer networks (WiFi). The Health Protection Agency (HPA) provides support and specialist advice to DHSSPS on a wide range of health protection matters including radiation protection. The HPA statement on WiFi is available on the HPA website at: http://www.hpa.org.uk/radiation/understand/radiation_topics/emf/wifi.htm

Current HPA advice is that there is no consistent evidence to date that WiFi and WLANs adversely affect the health of the general population. The signals are very low power, typically 0.1 watt (100 milliwatts) in both the computer and the router (access point) and the results so far show exposures are well within the internationally accepted International Commission on Non-Ionizing Radiation (ICNIRP) guidelines. Based on current knowledge and experience, radiofrequency exposures from Wi-Fi are likely to be lower than those from mobile phones. However, with any new technology it is a sensible precautionary approach to keep the situation under ongoing review. On 20 September 2007, the HPA Board agreed to fund a programme of work on WiFi and WLAN installations such as those used in schools and homes. Discussions are underway with partner agencies, especially those in the education sector. This project aims to systematically investigate the types of WiFi equipment in use and produce information on exposures to radio signals from wireless computer networks. The results will be compared with established international exposure guidelines and also with exposures from other commonly used sources of radio signals, including mobile phones. Account will be taken of the proportion of the time that the equipment is transmitting in normal use and how it is positioned in relation to the body. The project is timetabled over two years and will include:

- A critical review and summary of existing information relevant to exposures from WiFi.
- Detailed measurements of the power density in the vicinity of WiFi terminals in a controlled laboratory environment using robotic scanning equipment and compare the results with exposure guidelines.

- Identifying the effect of equipment design on exposures in terms of the types of antennas used and where they are mounted on computers.
- Gathering information on how the equipment is positioned in relation to children and staff in schools including a small number of measurements with equipment installed in schools for comparison with the laboratory measurements.
- Performing a health risk review considering the results of the above exposure assessments and information from published studies relating to the effects of radio frequency exposure on health.

HPA are expected to make a public announcement shortly about planned research into WiFi.

Mental Illness

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail the support that can be provided for people living in the same area as a mentally ill person, whose lives are disrupted due to the person not receiving the necessary treatment for their illness.

(AQW 638/08)

Mr McGimpsey: My Department's policy is to enable those with disabilities, including mental illness, to achieve the highest standards of living possible and to be fully integrated into society. Anyone with a mental illness, living in the community, will have a package of care pitched at a level specific to their particular needs. This is aimed, inter alia, to minimise any disruption to their lives or others in the community.

Care Matters Strategy

Miss McIlveen asked the Minister of Health, Social Services and Public Safety to detail the funding his department is making available to implement the 'Care Matters Strategy' for the most vulnerable children in need of care.

(AQO 213/08)

Mr McGimpsey: Consultation on the Care Matters in Northern Ireland – A Bridge to a Better Future Strategy finished recently and the responses are being analysed and considered before determining the final policy. Funding for the initiative will be dependent upon the outcome of the Comprehensive Spending Review which is still under consideration. It is not possible therefore to give a more detailed answer at this time.

I would like to say however, that my Department is identifying those elements of the Strategy which have a neutral or moderate cost and is consulting with colleagues in the voluntary and statutory sectors about implementing these changes and improvements as quickly as possible.

Care matters will build on investments in recent years in foster care, leaving care and children's residential homes. This includes introducing Nationally agreed minimum foster care allowances, more foster care support workers and more resources to recruit foster carers from children's extended families. It also includes the appointment of personal advisers for care leavers and measures to enable care leavers to continue living with their former foster carer until they are aged 21. We have also continued to replace existing older children's homes with up-to-date better quality accommodation.

Investing for Health Strategy

Mr John O'Dowd asked the Minister of Health, Social Services and Public Safety if he will give an update on the current status of the Investing for Health Strategy. (AQO 290/08)

Mr McGimpsey: *Investing for Health* is acknowledged to be the first cross-cutting strategy published by the former Executive in 2002. The strategy's main aims are to improve health and reduce health inequalities by addressing the broad range of determinants which impact on health and well-being.

Implementation of the strategy is ongoing. At regional level the strategy is overseen by the cross-departmental Ministerial Group on Public Health which I shall chair. At local level the cross-sectoral Investing for Health Partnerships are implementing Health Improvement Plans which have been developed to address the identified health and well-being needs of people in their areas.

A review of the strategy is due to take place in 2008, the timing of which is opportune given the restoration of this Assembly. The areas and issues which Investing for Health aims to address are still relevant today, but it is envisaged that this review will provide an opportunity to refocus and re-energise.

Early preparatory work for the review has begun and I will continue to keep members informed and involved.

Hospital Pathology Services

Mr Gallagher asked the Minister of Health, Social Services and Public Safety if he will provide an update on the progress of his department's review of hospital pathology services. (AQO 239/08)

Mr McGimpsey: On 28 November 2006 the Department issued the Review of Pathology Services in Northern Ireland, for a three month public consultation.

The consultation ended on 28 February 2007. 289 responses were received and my Department has been considering these in detail. A workshop involving

Health and Social Care stakeholders was held in June 2007 to discuss key issues raised in the consultation.

I expect to make an announcement later this year regarding the final recommendations for the future of pathology services.

Hospital Services

Mr Elliott asked the Minister of Health, Social Services and Public Safety what plans he has to engage with colleagues in the Executive and in the Republic of Ireland, regarding access to hospital services in the south-west of Northern Ireland. (AQO 234/08)

Mr McGimpsey: I am committed to ensuring people living in the South West of Northern Ireland have access to safe, high quality hospital services. Two new state of the art hospitals, one acute and one enhanced local, will be provided for the population South West. The decision to site the new acute hospital to the north of Enniskillen was supported by the previous Executive in 2002. Plans are now well advanced for the acute hospital to the North of Enniskillen, due to open in 2011 and the local enhanced hospital in Omagh, due to open in 2012.

It makes sense to pursue co-operation where it is in the mutual interests of the population on both sides of the border and I will wish to ensure that we continue to work in collaboration with colleagues in the Republic of Ireland. My Department has recently embarked on a North South Feasibility Study, working with colleagues in the Republic of Ireland to identify the potential of further areas of North South co-operation that could help improve health and wellbeing and access to services for people in both jurisdictions.

Stroke Strategy

Mrs O'Neill asked the Minister of Health, Social Services and Public Safety if he will give a timescale within which the updated stroke strategy, for the provision of services, will be brought forward. (AQO 267/08)

Mr McGimpsey: My Department is currently finalising a Stroke Strategy for the provision of stroke services in Northern Ireland. This strategy will set out recommendations for improving all aspects of stroke care including prevention, treatment and rehabilitation. Its outcome will help inform the service framework on cardiovascular disease, which aims to set measurable standards for acute stroke services. I hope to issue the Stroke Strategy for public consultation later this year. The consultation will run for the recommended 12 week period and I would hope to announce the final recommendations in June 2008.

Organ Donors

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of people from Northern Ireland who have donated organs in each of the last five years; and the amount of funding that has been set aside for the promotion of organ donation in 2007/08. (AQO 302/08)

Mr McGimpsey: Between 2002 and 2006 the number of deceased organ donors from Northern Ireland annually have totalled, 30, 26, 36, 20 and 31. Our donor rate for 2006/07 was 20.3 per million population compared to the overall UK rate of 13.2 per million population making us the best performing region during this period. Live donors across the past five years have totalled 36.

Responsibility for promotion of organ donation across the UK rests with NHS Blood and Transplant. Their national campaigns are supplemented locally by publicity organised through my Department and the transplant co-ordinators based in Belfast City Hospital. During 2007/08 NHSBT will be spending in excess of £1.7m on campaigning activity.

Ambulance Shortages

Ms Anderson asked the Minister of Health, Social Services and Public Safety what measures are being put in place to address the shortage of ambulances in the Foyle constituency. (AQO 265/08)

Mr McGimpsey: The Western Health and Social Services Board, which is responsible for commissioning ambulance services in the Foyle area, has advised me that there are currently 4 A&E ambulances providing day-time cover and 3 providing night-time and weekend cover which are based at Altnagelvin Ambulance Station. In addition, a single paramedic Rapid Response Vehicle and 4 other response cars are available. These ambulances are available all year round. The Board considers this level of cover appropriate to provide emergency response in the area.

The response performance in the Foyle area for Category A (life-threatening) calls for the month of August 2007 was 74%, having increased from 68% in March 2007. This is only very slightly less than the national response target for Category A, life-threatening, calls which is that 75% should be responded to within 8 minutes. It also exceeds the Ambulance Service's performance target in my ministerial Priorities for Action for 2007/08 which is that an average of 65% of Category A calls should be responded to within 8 minutes rising to 70% for the month of March 2008.

North/South Ministerial Council Health Sectoral Meeting

Mr Raymond McCartney asked the Minister of Health, Social Services and Public Safety to detail the items that will be included for discussion in the North-South Ministerial Council health sectoral meeting. (AQO 266/08)

Mr McGimpsey: Whilst it is expected that a North South health sectoral meeting will be held in the Republic of Ireland during the Autumn, there have, as yet, been no decisions made on the agenda.

I would, however, expect there to be discussions on the 5 formal areas of co-operation: Accident and Emergency services; Planning for Major Emergencies; Co-operation on High Technology Equipment; Cancer Research; and Health Promotion; and I would also expect the Food Safety Promotion Board to be included on the agenda.

Binge-Drinking

Rev Dr Robert Coulter asked the Minister of Health, Social Services and Public Safety to outline what action he is taking to address binge-drinking, particularly amongst young people. (AQO 218/08)

Mr McGimpsey: The New Strategic Direction for Alcohol and Drugs which was launched in 2006 includes "Addressing Binge Drinking" and "Tackling Under Age Drinking" as Key Priorities. As part of the implementation process a Binge Drinking Advisory Group has been set up to ensure that the issue is kept as a high policy priority across Government. In recent years we have undertaken a range of measures to address binge drinking in Northern Ireland which have included a public information campaign about the risks associated with binge drinking.

Child Protection and Safety

Mr Simpson asked the Minister of Health, Social Services and Public Safety if he will give an update on the ongoing work of his department in relation to child protection and safety. (AQO 248/08)

Mr McGimpsey: On an ongoing basis Social Services work collaboratively with other Departments and Agencies to operate existing child protection services including those which have a statutory basis. In addition, my Department is bringing forward a wide range of initiatives to strengthen child protection arrangements within Northern Ireland, these include:

- the ongoing operation of arrangements set out in the Protection of Children and Vulnerable Adults (NI) Order 2003;

- the introduction of Safeguarding Vulnerable Groups legislation in conjunction with other government Departments to strengthen vetting requirements and more effectively exclude unsuitable individuals from working with children and also vulnerable adults;
- establishing a regional Safeguarding Board for Northern Ireland;
- developing a Child Death Review Protocol;
- the development and implementation of a uniform Assessment Framework to assess the needs of vulnerable children along with regional thresholds for intervention and regional standards for the supervision of front line child protection staff;
- reorganising front line child protection services to ensure a consistent high quality and speedy response to referrals;
- identifying and taking forward arrangements to improve cross border cooperation with the Republic of Ireland;
- working with the Churches to strengthen safeguarding within the church sector;
- working with Health and Social Care Trusts in relation to implementation of the Laming recommendations;
- working with Departments and agencies within the UK on matters related to online child exploitation; and
- taking forward the recommendations from the multi-agency inspection of child protection services in Northern Ireland.

Alzheimer's

Ms Ní Chuilín asked the Minister of Health, Social Services and Public Safety what action he is taking to support early diagnosis, with effective care and treatment interventions, for people with Alzheimer's and other forms of dementia. (AQO 235/08)

Mr McGimpsey: A range of treatment and care is provided for people with Alzheimers disease and other forms of Dementia, across the primary, community, specialist and secondary care sectors.

The Bamford review on mental health issues for older people, which has been recently finalised, highlights the need for prompt diagnosis of dementia because it allows the person the opportunity to discuss their symptoms and treatment options, make informed choices about their future.

Departmental Officials are in the process of developing a response and action plan for the implementation of Bamford recommendations as a whole.

MRSA

Mr K Robinson asked the Minister of Health, Social Services and Public Safety what targets he has put in place to tackle MRSA over the next three years. (AQO 215/08)

Mr McGimpsey: On 11 September 2007, I announced that for the first time targets on reducing two particular healthcare associated infections were being put in place in Health and Social Care Trusts in Northern Ireland. The first of the new targets will require a drop of 10% in the numbers of people in hospital with *Staphylococcus aureus* bloodstream infections (including MRSA). In the case of *Clostridium difficile*, I am seeking a reduction of 20% in hospital patients aged 65 and over. Both numeric reductions are to have occurred by the year ending March 2009.

The baseline for measurement is to be the financial year 2006/7. These two infections, which are already subject to mandatory surveillance, are considered to be markers for the general level of healthcare associated infections.

REGIONAL DEVELOPMENT

Septic Tanks

Mr Hamilton asked the Minister for Regional Development what steps he is taking to deal with the present backlog in the emptying of septic tanks. (AQW 308/08)

The Minister for Regional Development (Mr Murphy): I have been advised by Northern Ireland Water that there are presently 4,500 outstanding requests for septic tanks to be emptied. In order to address the issue, Northern Ireland Water's primary contractor has been working extended hours during the week and at weekends and has doubled the resources committed to the contract. He currently has 16 tankers in operation throughout the Province and has engaged 4 sub-contractors to assist with the work. Northern Ireland Water has engaged a second contractor to supplement the work of the primary contractor.

It is expected that the backlog will be cleared and normal standards of service restored by the end of October 2007.

Septic Tanks

Mr Hamilton asked the Minister for Regional Development to detail the number of homes currently

waiting for septic tanks to be emptied, broken down by each of the 18 constituencies. (AQW 309/08)

Mr Murphy: I have been advised by Northern Ireland Water that there are 4,500 homes currently waiting for septic tanks to be emptied. The location of these homes is not recorded by Parliamentary constituency and Northern Ireland Water is therefore unable to provide the breakdown sought.

Roads Maintenance Budget

Mr G Robinson asked the Minister for Regional Development to detail the amount of the total roads maintenance budget spent on roads in the Greater Belfast area, in comparison to the rest of Northern Ireland, in 2005/06 and 2006/07; and the proposed expenditure for 2007/08. (AQW 323/08)

Mr Murphy: For the purposes of answering this question, the Greater Belfast Area has been taken as covering the council areas of Belfast, Castlereagh, Newtownabbey, Carrickfergus, North Down and Lisburn.

The total expenditure incurred by Roads Service on maintenance activities in 2005/06 and 2006/07 is detailed below.

	2005/06 £000's	2006/07 £000's
Greater Belfast Area	33,000	31,000
Total for Northern Ireland	121,000	114,000

Maintenance expenditure includes all maintenance costs e.g. structural maintenance (which includes resurfacing, reconstruction, surface dressing, patching etc.), routine maintenance (grass cutting, gully emptying and environmental work), traffic management, street lighting and car park maintenance costs.

The current estimated expenditure on roads maintenance in the North in 2007/08 will be in the region of £109 million.

Road Infrastructure Between Craigavon and Banbridge

Mr O'Dowd asked the Minister for Regional Development what are his plans to improve the road infrastructure between Craigavon and Banbridge, to allow industry and tourists better access to the A1 and the M1 to Dublin, and vice versa. (AQW 346/08)

Mr Murphy: My Department's Roads Service has advised that there are already good strategic road linkages from Craigavon to the North and South via the M1/A1 and the A27 respectively. The A26 Craigavon

(Lurgan) and A50 Portadown to Banbridge routes are not on the strategic route network.

Any requests for localised improvements along these routes will be considered and assessed to determine their priority status and allow them to be compared with other proposals competing for inclusion in Roads Service's Local Transportation and Safety Measures Programme.

Public Transport

Mr Storey asked the Minister for Regional Development, pursuant to his answer to AQW 45/08, to outline the nature of the efforts which have been made to raise awareness of (i) the economic, environmental and social benefits that reliable access to public transport offers; and (ii) the risks to safety, inconvenience and frustration to passengers that security alerts entail; and what is his assessment of the success of this work. (AQW 372/08)

Mr Murphy: Both NIR and Translink in general have undertaken a number of initiatives in order to help raise awareness of the benefits that reliable public transport offers and the inconvenience and disruption caused by security alerts.

- (i) Translink has proactive and ongoing media relations, public affairs and communications activity to highlight the contribution of public transport towards economic development and growth. Translink's published Corporate Plan stresses the positive impact which a good public transport network offers and illustrates performance against Departmental targets which have been set to ensure societal benefits e.g. average fleet age, accessibility and speed targets.

In order to raise awareness of social benefits, Translink publishes Passenger Charter Monitoring results on a bi-annual basis. Moreover, it demonstrates its commitment to environmental improvement through the publication of an Environmental Plan.

- (ii) In relation to security alerts, the public transport operator has an active media relations approach, which includes highlighting the impact any such incidents have on services. In general terms Translink and NIR have undertaken aggressive marketing campaigns in order to deter anti-social behaviour and highlight railway safety issues. The ongoing 'Dead Cert' campaign was launched in 2005 to reinforce the dangers of misusing trains and railway facilities. An additional 'C U in Court' poster campaign was designed to raise awareness of CCTV on trains as well as joint action with the police to run patrols on trains.

I am content that NIR and Translink are taking effective measures to raise awareness of both public transport benefits and the costs of disruption to services. Ensuring a high level of ongoing awareness of such issues is critical and Translink / NIR will continue with their efforts in this regard.

Flooding at Carrickdesland, Warrenpoint

Mr P J Bradley asked the Minister for Regional Development what steps he will take to ensure that Roads Service and NI Water achieve a permanent resolution to the ongoing flooding problems at Carrickdesland, Burren, Warrenpoint; and if he will make a statement on the current situation in that area. (AQW 414/08)

Mr Murphy: Carrickdesland is a development site and the sewerage system is at present in the final stages of adoption by Northern Ireland Water. The sewerage system is therefore not the responsibility of Northern Ireland Water until adoption takes place. I understand Roads Service and Northern Ireland Water officials did attend site meetings about the flooding within the development. Northern Ireland Water again met the developer on 19 October 2007 and he has advised that the flooding may have been linked to work carried out by him on a piped water course, which is not associated with the sewerage system within the development. Northern Ireland Water has arranged to meet with the developer in the near future to establish the reason for the flooding and to ensure that any problems are addressed prior to formal handover.

Blocked Sewers

Mr Shannon asked the Minister for Regional Development, in light of 46 reported incidences of blocked sewers in the Westwinds housing estate, Newtownards, from 1 September 2006 to 30 June 2007, what steps he is taking to ensure that the number of occurrences of such blockages is reduced. (AQW 419/08)

Mr Murphy: I am advised by Northern Ireland Water that it is aware of the history of blockages in the Westwinds Estate in Newtownards and that it has responded to all reported incidents well within the timescales set out in their Customer Charter. Where necessary, the affected areas have been cleaned and disinfected. However, successive comprehensive investigations into the cause of the blockages have confirmed that the majority of the blockages were not associated with deficiencies in the sewerage system but were caused by inappropriate materials such as baby wipes, cotton buds and nappies being lodged in the sewerage system. Fat and grease from cooking has

also been discharged into the sewers causing costly blockages, damage to filter screens at treatment works and leading to pollution in the local environment. Northern Ireland Water has assured me that the public sewerage system within the estate has adequate capacity and is operating satisfactorily under normal conditions and an upgrade to the sewer system is not considered necessary at this time.

Regrettably, it is not possible to guarantee blockages will not occur in the future, given the continued irresponsible discharges of inappropriate materials into the sewers. Northern Ireland Water is actively promoting a 'Bag It and Bin It, don't flush it!' campaign and proposes to distribute leaflets to all homes in the Westwinds Estate in an attempt to raise awareness of the problems that inappropriate discharges into the sewer cause.

Northern Ireland Water is also undertaking a major programme of Drainage Area Studies to identify any deficiencies, assess future needs and, if needed, to recommend solutions for upgrades to meet development, environmental and structural requirements. A Drainage Area Study for the Newtownards area is ongoing and any recommendations for upgrading works will be included in the Northern Ireland Water's Capital Investment Programme for implementation. Unfortunately, given current funding levels, it is unlikely that any required upgrading work identified by the study will be implemented before 2010.

Gortcorbies Climbing Lane

Mr G Robinson asked the Minister for Regional Development, pursuant to his answer to AQW 188/08, to outline the nature of the surplus material that will be produced during the construction of the Gortcorbies Climbing Lane; and to detail the reasons for the environmental concerns relating to this scheme. (AQW 465/08)

Mr Murphy: As I advised in my previous answer, the detailed design of the Gortcorbies Climbing Lane scheme on the A37 Limavady to Coleraine Road is well advanced. However, construction cannot start until funding is available and environmental concerns regarding the disposal of surplus material have been resolved. A substantial volume of surplus material, comprising alluvial silts, glacial tills, glacial sands and gravels, will come from the excavations associated with the removal of two significant crests on the existing road.

The environmental issues do not relate to the inert nature of this surplus material, but rather to the need to minimise any possible adverse environmental and ecological effects likely to occur from its disposal on the surrounding landscape.

Roads Service, in consultation with Planning Service and Environment and Heritage Service, is currently investigating options for the disposal of this surplus material, in compliance with current statutory requirements.

Sewage on Lough Park, Ballynahinch

Mr W Clarke asked the Minister for Regional Development if he will investigate the reasons why sewage has remained on Lough Park, adjacent to Glenlough Park, Ballynahinch, Co. Down, despite assurances that the matter would be resolved four weeks ago. (AQW 512/08)

Mr Murphy: I have been advised by Northern Ireland Water that it has been endeavouring to identify the source of the sewage problem, but investigations have been hampered by access problems due to heavy undergrowth along sections of the path at Lough Park, Ballynahinch. The affected area has been cleaned and disinfected regularly while investigations continue and Down District Council has been contacted to arrange for the undergrowth to be cut back.

It is thought that a section of the public sewer along the path at Lough Park may have collapsed and a CCTV investigation is being arranged to assist in identifying the source of the problem. Any necessary repair work to the sewer will be undertaken as a matter of urgency when the cause of the problem is confirmed.

Drainage Area Plan for Newcastle

Mr W Clarke asked the Minister for Regional Development to give a timescale within which Northern Ireland Water will commence the drainage area plan for Newcastle, which includes improvements to the sewerage system. (AQW 551/08)

Mr Murphy: I have been advised by Northern Ireland Water that the Drainage Area Plan for Newcastle has identified a number of deficiencies within the sewerage system. Remedial action to resolve these deficiencies includes the repair of structural defects, hydraulic improvements to the network, provision of a new storm water storage tank at Castlepark and work to provide new or upgraded sewage pumping stations.

Northern Ireland Water has already completed some of the required sewer network improvements and remedial work to repair major defects is ongoing. In addition, the advance construction of a sewer along Main Street, Newcastle, is planned to coincide with an Environmental Improvements Scheme being undertaken by Down District Council. The new storm water storage tank at Castlepark is currently at design stage and work is expected to commence in late 2008, subject to funding

being available and the completion of all statutory processes. Upgrades to the upstream sewerage system, including the provision of new or upgraded sewage pumping stations, will not commence until this additional storm water capacity is operational.

It is envisaged that full implementation of the proposals contained in the Drainage Area Plan for Newcastle will not be completed until 2010, but Northern Ireland Water will continue to consult with all key stakeholders as work progresses.

Traffic-Calming in Rasharkin

Mr McKay asked the Minister for Regional Development to give a timescale within which the Roads Service will consult with residents in Rasharkin, regarding the possible introduction of traffic-calming measures and a one-way system; and to give a completion date for the finalised programme of work.

(AQW 562/08)

Mr Murphy: My Department's Roads Service has advised me that it is currently examining a number of traffic management and road safety initiatives for the village of Rasharkin. These include the Moneyleck Road, where the existing footways require upgrading and where the introduction of a short one-way traffic system may be required to accommodate a new footway link. This proposal will require consultation, and meetings with the residents and elected representatives are likely to take place later this year.

For this financial year, there are works scheduled which include improvements to the junction of Bridge Street with Main Street, where plans for a mini roundabout and an associated traffic island to assist pedestrians crossing are currently being developed. Details of these proposals will be forwarded to Ballymoney Borough Council and also to Rasharkin Community Association for comment and consultation will also take place with local traders. Details of this scheme were included in the Roads Service report which was presented to Ballymoney Borough Council in June of this year.

As you are aware, the Department for Social Development is committing around £280,000 to an environmental improvement scheme for the village and contributions to the scheme are also being made by Roads Service and Northern Ireland Electricity. I understand that work on this scheme is likely to start later this financial year for completion during 2008 and will include the removal of British Telecom and Northern Ireland Electricity service poles from the footways along Main Street, prior to the resurfacing. Some landscaping is also being considered as part of the improvement scheme.

It would be Roads Service's intention to coordinate the Moneyleck Road footway works along with the environmental improvement scheme. However, as with all proposals of this nature, implementation is subject to the successful completion of residents' consultation and the associated legislative processes. It is not therefore possible to give a completion date at this time.

Belfast to Dublin Rail Link

Mr Simpson asked the Minister for Regional Development if he will make a statement on the number of passengers using the Belfast to Dublin rail link in the last three years. (AQO 250/08)

Mr Murphy: Passenger journey numbers on the Enterprise service using the Belfast to Dublin rail link are detailed in the table below.

	2004/05	2005/06	2006/07
Belfast to Dublin	836,983	819,630	861,627

Since 2004/05 passenger numbers on the cross border line have grown by 24,644 (2.9%).

Companions of Disabled People

Mrs O'Neill asked the Minister for Regional Development what action he will take to address the situation, whereby companions of disabled people are eligible for free travel within the Republic of Ireland, but not in Northern Ireland. (AQO 268/08)

Mr Murphy: Following a review of the north's Concessionary Fares Scheme I have made a bid as part of the Budget 2007 process for additional resources to enable me to meet the increasing costs of the current scheme and to extend the Scheme in a number of ways. Free travel for companions of people with disabilities is not included in this bid. Although I appreciate that some people with disabilities require assistance when travelling, I must prioritise the resources that may be made available and I would give a greater priority to providing free travel for people with disabilities.

Whitebridge Road, Co. Tyrone

Mr McElduff asked the Minister for Regional Development what plans he has to improve the safety of the Whitebridge Road, from Carrickmore to Ballygawley, Co. Tyrone. (AQO 226/08)

Mr Murphy: My Department's Roads Service does not consider the Whitebridge Road to be unsafe and believes that it is typical of the standard of many 'C' class routes on the road network throughout the North.

That said, Roads Service has identified a need for an improvement scheme in the vicinity of the Gleneeny Road junction, which involves verge widening and improving the forward sight distance. Funding has been set aside for land acquisition, in the current financial year, and negotiations with landowners are ongoing. If the land negotiations are successful and the necessary funding is available, it is planned to finalise the design and delivery of the scheme in the 2008/2009 financial year.

Further improvements on the Whitebridge Road are not currently considered to be as high a priority as other competing needs in the Omagh District Council area, and under current levels of funding, extensive improvements to this road are unlikely to be considered for inclusion in Roads Service's network development programmes in the short term.

Crystal Alliance

Mr Gallagher asked the Minister for Regional Development to detail (a) the functions that have been contracted to Crystal Alliance by Northern Ireland Water; (b) the value of the contract; and (c) the expiry date of the contract. (AQO 240/08)

Mr Murphy: Northern Ireland Water has contracted three functions to Xansa, the lead partner in Crystal Alliance.

They are:

1. The handling of all telephone and written contacts from customers on operational and billing related matters;
2. The billing and collections service for non-domestic and domestic properties; and
3. The mobile work management system to support Northern Ireland Water's operational staff in the prioritisation and tracking of tasks.

The value of the contract is £92.4 million and the expiry date is 31 March 2013.

Rapid Transit Schemes

Mr Hamilton asked the Minister for Regional Development if he will give a timescale within which the reports on the various rapid transit schemes for the Belfast area will be published. (AQO 237/08)

Mr Murphy: Following completion of the current studies, I will discuss the findings with Ministerial colleagues in the Executive as part of Budget 07 process.

Once that has been done, the studies will be made available through my Department's publication scheme. Copies will also be placed in the Assembly library.

Belfast to Dublin Rail Link

Mr Storey asked the Minister for Regional Development if he will make a statement on the work carried out by his department to enhance the Belfast to Dublin rail link. (AQO 247/08)

Mr Murphy: A major scheme to upgrade the Belfast to Dublin line from Belfast to the border was completed 10 years ago. At the same time, the Enterprise services were introduced using trains supplied and maintained by both NIR and Iarnrod Eireann. These enhancements resulted in significant increases in passenger usage leading to around 1 million passengers per year using the service. While numbers have since fallen back, partly as a result of major infrastructure work south of the border, they are now increasing again.

Newry Railway Station

Mr Kennedy asked the Minister for Regional Development if he will provide an update on the proposals to upgrade Newry railway station. (AQO 291/08)

Mr Murphy: The Department has given approval to Translink to proceed with the project to construct a new railway station at Newry. It is expected that, following a tendering process and the award of the contract, work will commence on site early in the new year and will take 18 months to complete.

Road Safety

Mr Dallat asked the Minister for Regional Development what discussions he has had with the Minister of the Environment on matters relating to road safety and road deaths. (AQO 221/08)

Mr Murphy: Road Safety is a key priority for my Department's Roads Service and for many years, my officials have been working in partnership with officials from both the Department of the Environment and the Police in the delivery of the objectives of the Northern Ireland Road Safety Strategy.

On 10 July 2007, I had a very useful meeting with Minister Foster and officials from the PSNI to discuss the proposed forthcoming review of the Road Safety Strategy and to consider the methodology, timescale and options to be considered in the review. I was pleased to give my support for Departmental officials participating fully in the review of the Strategy.

European Charter on Regional and Minority Languages

Mr Brolly asked the Minister for Regional Development what action he is taking to promote and comply with the European Charter on Regional and Minority Languages in his department. (AQO 272/08)

Mr Murphy: The Department issued Codes of Courtesy for both Irish and Ulster Scots in 2004 to help to implement the Charter commitments. These are on the Department's website in English, in Irish and Ulster-Scots respectively. The Codes advise on the handling of meetings, correspondence and telephone calls in Irish and Ulster-Scots to ensure, as far as possible, that responses are in the correspondent's chosen language.

In addition, Roads Service is currently preparing a policy on the use of bilingual signing in certain circumstances, including:

- the erection by Councils of town/village place name signs bearing Irish or Ulster-Scots, in addition to English;
- the display of Irish or Ulster-Scots (in addition to English) on certain worded supplementary plates to standard warning signs; and
- the inclusion of Irish or Ulster-Scots (in addition to English) on signs funded by private premise owners (e.g. tourist destinations, churches, schools and certain commercial premises), in close proximity to the destination.

My Department is planning to amend legislation to remove a legislative doubt about the use of languages other than English on traffic signs to enable the policy to be implemented.

The proposed policy changes will be subject to consideration by the Executive, and subsequently to public consultation and to legislative scrutiny by the Assembly in line with normal procedures.

Funding Major Infrastructure Projects

Mr Lunn asked the Minister for Regional Development what consideration he has given to other means of funding major infrastructure projects, other than securing the entire funding from the public purse. (AQO 287/08)

Mr Murphy: I can assure you that my Department endeavours to consider all appropriate funding options for major infrastructure projects. The important overriding priority is to ensure that value for money is delivered for the citizen in all cases.

In terms of infrastructure projects, the Department for Regional Development has actively pursued supple-

mentary investment through Public Private Partnerships, Developer Contributions, EU Funding, Asset Disposal, Congestion Charging and Road Tolling.

Resurfacing of Roads

Mr Cobain asked the Minister for Regional Development to detail his department's targets in relation to time periods for the resurfacing of (a) trunk roads; and (b) classified roads; and to outline the performance of his department in relation to these targets.

(AQO 244/08)

Mr Murphy: In order to maintain and extend the life of a road, it is important that maintenance is carried out at an optimal time. Whilst my Department's Roads Service has targets which relate to the length of the road network resurfaced each year, they do not have published targets relating to the time period between resurfacing. You may, however, be interested to know how the actual resurfacing treatments compare with the recommended good practice frequencies. The table below illustrates the actual treatment frequencies applied during 2005/06 and 2006/07.

Road type	Treatment	Treatment frequency (years)		
		Good practice	2005/06	2006/07
Trunk Roads	Resurface	1 in 20	1 in 29	1 in 43
Classified Roads	Resurface	1 in 25	1 in 33	1 in 40

SOCIAL DEVELOPMENT

Competitiveness Programme (2007-2013)

Mr McGlone asked the Minister for Social Development to confirm that financial support for town centre regeneration and marketing efforts will be removed from the new Competitiveness Programme (2007-2013), and if so, whether financial support for this activity will continue to be delivered by district councils, and increased in future years, through the Department's Financial Support Programme.

(AQW 273/08)

The Minister for Social Development (Ms Ritchie): Town Centre Management and marketing work specifically, had previously attracted funding under the EU Building Sustainable Prosperity (BSP) programme. The Department of Enterprise, Trade and Investment has informed me that no money has been set aside for town centre regeneration within the new EU Competitiveness Programme, which will replace the BSP

programme. However, the programme will allow for strategic business development activities including urban and rural development.

My Department has recently started a review of its policy on the provision of funding for town centre regeneration, including all existing and potential delivery mechanisms. I will make the results of this policy review available to you as early as possible.

Energy Efficiency

Mr G Robinson asked the Minister for Social Development what steps she has taken to ensure that people who are living in their own home, and landlords of privately-rented accommodation, are aware of all methods and schemes available to ensure energy efficiency; and to minimise the prospect of them, or their tenants, suffering from fuel poverty.

(AQW 352/08)

Ms Ritchie: My Department is committed to ensuring that information reaches those eligible for assistance under its measures for tackling fuel poverty. The Eaga Partnership, which manages the Warm Homes Scheme on behalf of the Department, achieves this through both targeted mailshots and partnership arrangements with a range of organisations in the voluntary and community sector and the health sector to disseminate key information. The Eaga Partnership also works with the Social Security Agency and the Rates Collection Agency to target householders who are in receipt of a qualifying benefit and who privately rent or own their own home.

The Housing Executive, in its role as Home Energy Conservation Authority for Northern Ireland has developed an energy improvement strategy and annual marketing plans to promote the concept of energy efficiency to the general public. They also fund voluntary bodies, such as National Energy Action and the Energy Saving Trust's Advice Centre, who raise energy efficiency awareness through their activities.

Cold Weather Winter Fuel Payments

Ms S Ramsey asked the Minister for Social Development to detail her department's expenditure on Cold Weather Winter Fuel Payments. (AQW 356/08)

Ms Ritchie: Expenditure on Winter Fuel payments is as follows:

Financial Year	Expenditure
2004/2005	£49.9m
2005/2006	£50.2m
2006/2007	£50.6m

Expenditure on Cold Weather payments is as follows:

Financial Year	Expenditure
2003/2004	£620,000
2004/2005	£6,000*
2005/2006	£1,000*
2006/2007	£1,000*

* Payments were in respect of arrears for previous years but processed during the year payment was made. 2003/2004 was the last year in which the qualifying conditions for Cold Weather Payments prevailed.

Fuel Poverty

Ms S Ramsey asked the Minister for Social Development, in light of her announcement of 17 May 2007, which stated that, in 2006/07, £70 million was dedicated to tackling fuel poverty, to detail exactly how these funds were spent. (AQW 357/08)

Ms Ritchie: Funds were allocated as follows: £20.4 million for the Warm Homes Scheme and £50.2 million for Winter Fuel Payments in the 2006/2007 financial year.

The Housing Executive's Improvement and Maintenance Programme also contains a fuel poverty focus, namely through its Heating Replacement Programme and Multi-Element Improvement Programme. The funding for the 2006/2007 financial year was approximately £24.2 million.

Warm Homes Scheme

Ms S Ramsey asked the Minister for Social Development, in light of the £44 million provided to the Warm Homes Scheme, to detail the uptake of the scheme, broken down by parliamentary constituency; and to give a breakdown of how these funds were spent. (AQW 358/08)

Ms Ritchie: As stated at the Fuel Poverty Debate in the Assembly on 18 September, £44 million has been provided for initiatives such as the Housing Executive's Improvement and Maintenance Programme as well as the Warm Homes Scheme.

The Housing Executive's Improvement and Maintenance Programme also contains a fuel poverty focus, namely through its Heating Replacement Programme and Multi-Element Improvement Programme. The funding for the last financial year was approximately £24.2 million.

The Warm Homes Scheme funding for the last financial year was approximately £20.4 million. £1.7 million of this was spent on a range of services across Northern Ireland, including benefit entitlement checks and fees for scheme management. £18.798 million was

spent on heating and insulation measures. The breakdown of this expenditure by parliamentary constituency is as follows:

HEATING SYSTEMS FITTED

Constituency	No. of Homes	Value of Works Completed
Newry & Armagh	431	£1,660,716.64
Mid Ulster	411	£1,614,661.46
Upper Bann	388	£1,431,288.27
Fermanagh & South Tyrone	333	£1,316,625.83
Foyle	312	£1,139,651.94
South Down	275	£1,065,753.34
West Tyrone	269	£1,085,294.01
South Antrim	181	£628,597.19
North Antrim	166	£563,573.00
Belfast West	158	£558,690.71
Belfast North	146	£459,429.07
East Londonderry	140	£500,008.91
Lagan Valley	131	£480,022.16
Strangford	97	£343,670.00
East Antrim	80	£266,079.00
Belfast East	70	£215,264.89
North Down	52	£173,313.00
Belfast South	36	£117,935.00
Total	3,676	£13,620,574.42

INSULATION MEASURES FITTED

Constituency	No. of Homes	Value of Works Completed
Newry & Armagh	876	£519,025.39
South Down	699	£414,854.17
Upper Bann	663	£340,828.35
West Tyrone	634	£354,671.31
South Antrim	611	£297,234.41
Belfast North	567	£224,490.28
Mid Ulster	557	£329,243.93
Belfast West	485	£166,830.53
Fermanagh & South Tyrone	476	£289,236.29
Foyle	467	£166,957.81
East Londonderry	418	£202,381.59
Lagan Valley	413	£218,588.55
East Antrim	401	£182,155.21

Constituency	No. of Homes	Value of Works Completed
Strangford	374	£184,093.85
North Antrim	339	£198,172.88
Belfast East	321	£134,933.19
North Down	315	£146,664.03
Belfast South	194	£807,744.04
Total	8810	£5,178,105.81

TOTAL VALUE OF WORKS

Constituency	Total Value of Works Completed
Newry & Armagh	£2,179,742.03
Mid Ulster	£1,943,905.39
Upper Bann	£1,772,116.62
Fermanagh & South Tyrone	£1,605,862.12
South Down	£1,480,607.51
West Tyrone	£1,439,965.32
Foyle	£1,306,609.75
South Antrim	£925,831.60
Belfast South	£925,679.04
North Antrim	£761,745.88
Belfast West	£725,521.24
East Londonderry	£702,390.50
Lagan Valley	£698,610.71
Belfast North	£683,919.35
Strangford	£527,763.85
East Antrim	£448,234.21
Belfast East	£350,198.08
North Down	£319,977.03
Total	£18,798,680.23

Child Support Agency

Mr Hamilton asked the Minister for Social Development what is her assessment of how money lost by the Child Support Agency through fraud and error compares with that in other regions of the United Kingdom; and with the equivalent body in the Republic of Ireland. (AQW 384/08)

Ms Ritchie: Current fraud and error figures are unavailable for other United Kingdom regions and therefore a comparative assessment cannot be made.

The Republic of Ireland does not have an organisation equivalent to the Northern Ireland Child Support Agency.

Child Support Agency

Mr Hamilton asked the Minister for Social Development what is her assessment of the administrative cost to the Child Support Agency of recouping £1 in child maintenance, compared to that in other regions of the United Kingdom; and to the equivalent body in the Republic of Ireland. (AQW 385/08)

Ms Ritchie: In 2006-07 it cost the Northern Ireland Child Support Agency £0.87 to arrange or collect £1 of child maintenance.

The Great Britain Child Support Agency has reported provisional figures for 2006-07. Based on these figures it cost the Great Britain Child Support Agency £0.57 to arrange or collect £1 of child maintenance.

The main reasons for the difference in cost of collection between the Northern Ireland Child Support Agency and the Great Britain Child Support Agency are:

- Northern Ireland has a higher proportion of non resident parents on benefit resulting in lower maintenance assessments. However it costs the Agency the same to assess and maintain these cases and as it does for private cases.
- The Great Britain Agency has the advantage of economies of scale.

As a result direct comparison between the two Agencies is not possible.

The Republic of Ireland does not have an organisation equivalent to the Northern Ireland Child Support Agency.

Housing Executive Properties

Mr Hamilton asked the Minister for Social Development to detail the number of properties that are currently owned by the Northern Ireland Housing Executive in the Newtownards area. (AQW 386/08)

Ms Ritchie: Northern Ireland Housing Executive has 4008 domestic properties in the Newtownards area. This includes 2121 properties in Newtownards town.

Housing Executive Waiting List

Mr Hamilton asked the Minister for Social Development to detail the number of people on the Northern Ireland Housing Executive waiting list, who have identified Newtownards as one of their areas of choice. (AQW 387/08)

Ms Ritchie: 2951 applicants have indicated Newtownards as their 1st or 2nd preference area for social housing. 2062 of these have more than 30 points and are therefore considered to be in housing stress.

Housing Executive Properties

Mr Hamilton asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in the Ballygowan area. (AQW 416/08)

Ms Ritchie: At 31 March 2007, the Northern Ireland Housing Executive had 78 domestic properties in Ballygowan.

Housing Associations Property

Mr Hamilton asked the Minister for Social Development to detail the number of properties owned by Housing Associations in (i) Newtownards; (ii) Comber; (iii) Saintfield; and (iv) Ballygowan. (AQW 417/08)

Ms Ritchie: The number of properties owned by Registered Housing Associations in the towns identified is as follows:

- (i) Newtownards – 134 self-contained units with a further 216 bedspaces.
- (ii) Comber – 69 self-contained units with a further 72 bedspaces.
- (iii) Saintfield – 10 self-contained units.
- (iv) Ballygowan – 1 self-contained unit.

A self-contained unit is a dwelling house and also an apartment in a sheltered housing scheme.

A bedspace is a unit in a building or scheme containing single or shared rooms which lack exclusive use of bath/shower, WC or cooking facilities.

Housing Executive Waiting List

Mr Hamilton asked the Minister for Social Development to detail the number of people on the Northern Ireland Housing Executive waiting list, who have identified Ballygowan as one of their areas of choice. (AQW 418/08)

Ms Ritchie: 75 applicants have indicated Ballygowan as a 1st or 2nd preference area for social housing, 54 of these have more than 30 points and are therefore considered to be in housing stress.

Child Support Policy

Mr A Maginness asked the Minister for Social Development if she will provide an update on the steps she intends to take in light of the changes being proposed

for child support policy and delivery in Great Britain. (AQW 467/08)

Ms Ritchie: The Child Maintenance and Other Payments Bill which was introduced by the Secretary of State for Work and Pensions at Westminster on 5 June 2007, seeks to put into effect changes recommended by Sir David Henshaw in his report, which would:

- remove the requirement for parents with care who claim benefits to be treated as applying for child maintenance;
- encourage parents to make their own arrangements by increasing the amount of maintenance which parents with care on benefit can keep before their benefits are affected (known as “disregard”);
- simplify and streamline the child maintenance assessment process by, for example, using the latest available tax year information as the basis for calculating child maintenance;
- improve collection and enforcement processes; and
- increase efforts to collect and manage debt.

The Bill also provides for a Non-Departmental Public Body (the Child Maintenance and Enforcement Commission) to replace the Child Support Agency in Britain as the deliverer of the new service.

Under the parity arrangements which currently apply, I would intend to bring forward similar policy changes for Northern Ireland and will be taking proposals to the Executive and Assembly later this year and consulting with the Social Development Committee.

In relation to the matter of service delivery, I have concluded that the existing Northern Ireland Child Support Agency should be wound up and service delivery brought under the direct control of my Department. In reaching this decision I took account of the different scale of the service provided here and the need to maintain the focus on improving the service to our clients.

Housing Executive Properties

Mr Hamilton asked the Minister for Social Development to detail the addresses of the ten vacant properties sold by the Northern Ireland Housing Executive in the Ards area between 1 April 2004 and 31 March 2007; and to identify the value received on the sale of each of the properties. (AQW 472/08)

Ms Ritchie: The details of the ten vacant properties sold by the Northern Ireland Housing Executive in the Ards area between 1 April 2004 and 31 March 2007 are as follows:

	£k
2004/2005	
17 – 33 Cedar / 2 – 22 Calmia Newtownards	410
32 Windmill Road Millisle	76
2005/2006	
114 Killinchy Road Comber	179
106 Comber Road Killinchy	100
1 Murdocks Lane, Donaghadee	125
2006/2007	
49 Portaferry Road Cloghey	100
51 Lisbarnett Road Comber	164
83 Newtownards Road, Donaghadee	180
6 Broadway, Ballywalter	127
2007/2008	
22 Tullynakill Road Comber	220

Housing Executive Properties

Mr Hamilton asked the Minister for Social Development to detail the addresses of the six plots of land sold by the Northern Ireland Housing Executive in the Ards area between 1 April 2004 and 31 March 2007; and to identify the value received on the sale of each of the plots. (AQW 473/08)

Ms Ritchie: The details of the six plots of land sold by the Northern Ireland Housing Executive are as follows:

LAND SALES

Details of Land	Value Received
2004/2005 Adjacent to 32 Dunsey Way Comber	£8k
2005/2006 12 East Street, Donaghadee	£101k
2006/2007 88-92 Moss Road Millisle	£105k
2006/2007 Comber By Pass	£234k
2006/2007 Playground at Boyd Ave Kircubbin	£85k
2007/2008 217 Killaughey Road, Donaghadee	£40k

Housing Executive Properties

Mr Hamilton asked the Minister for Social Development to detail the number of Northern Ireland Housing Executive properties that have been allocated in (i) Newtownards; (ii) Comber; (iii) Saintfield; and

(iv) Ballygowan, in each of the last three years. (AQW 475/08)

Ms Ritchie: The number of Northern Ireland Housing Executive properties allocated is as follows:

	Yr to June 2005	Yr to June 2006	Yr to June 2007
Newtownards Town	152	152	160
Comber	13	11	20
Saintfield	4	0	3
Ballygowan	0	2	1

Child Support Agency

Mr Shannon asked the Minister for Social Development to detail, for each of the last three years, the number of maintenance application forms that have been submitted to the Child Support Agency; and the number of these applications that have resulted in a maintenance calculation being carried out, excluding nil assessments. (AQW 500/08)

Ms Ritchie: The number of applications received in Northern Ireland Child Support Agency for the last three years and the number of these applications that have resulted in a maintenance calculation being carried out are as follows:

	2004-05	2005-06	2006-07
Number of applications	9175	8972	8848
Number of maintenance calculations	2408	2891	3001

Figures in relation to NIL assessments are not readily available and could only be obtained by means of a special administrative exercise that would entail a disproportionate cost. NIL assessments are therefore included in the overall totals.

Disability Living Allowance

Mr McQuillan asked the Minister for Social Development to detail the number of people suffering from epilepsy who have been awarded the high rate mobility component of Disability Living Allowance, in the years 2004/05; 2005/06; and 2006/07. (AQW 511/08)

Ms Ritchie: The Department does not hold the information in the exact form requested. The information set out in the table below reflects the number of customers awarded the higher rate of mobility component of Disability Living Allowance where epilepsy was the main disabling factor and where the award took

effect from a date in the years shown. These figures may change if awards made in the future are backdated to an earlier year.

Financial Year	DLA Awards (High Rate Mobility Component where Epilepsy is the main disabling condition)
2004/05	95
2005/06	101
2006/07	77

Housing Executive Properties

Mr O'Loan asked the Minister for Social Development to detail (i) the number of properties owned by the Northern Ireland Housing Executive; and (ii) the number of people on the waiting list, in the Ballymena Borough Council area. (AQW 557/08)

Ms Ritchie: At 31 March 2007 the Northern Ireland Housing Executive owned 2,909 domestic properties in the Ballymena Borough Council area.

At 31 March 2007 there were 1483 applicants on the waiting list in the Ballymena Borough Council area. Of these 816 had more than 30 points and are therefore deemed to be in Housing Stress.

Durlston Pastoral Care Centre

Mr McKay asked the Minister for Social Development to explain the reasons for the delay in the hand-over of two vacant houses in Dunclug Gardens, Ballymena, to the Durlston Pastoral Care Centre, since it was offered the properties by the Northern Ireland Housing Executive in spring 2007. (AQW 561/08)

Ms Ritchie: The Durlston Pastoral Care Centre initially requested three properties from the Housing Executive. The block in which the properties were located however also included one privately owned property and was within phase two of the regeneration strategy for the estate.

In pursuing an alternative Dunclug Gardens option, the Group also wanted a tenanted property. The tenant was however unwilling to consider alternative accommodation and so the transfer is proceeding on the basis of two properties in Dunclug Gardens. A planning application for change of use in respect of these two properties was made by the Housing Executive at the beginning of September 2007 and planning approval is awaited. Once this is received hand-over of the properties to the Pastoral Care Centre will proceed.

In the meantime I understand that the Durlston Pastoral Care Centre continues to operate from premises in Durlston House, Dunclug.

Mislaid Benefit Claim Forms

Mr Irwin asked the Minister for Social Development what plans she has to address the issue of mislaid benefit claim forms, and accompanying personal information, within the Social Security Agency. (AQO 212/08)

Ms Ritchie: Each year the Social Security Agency receives over 200,000 benefit claim forms and almost 3 million other items of benefit related correspondence. Given such volumes, unfortunately there are occasions when items are mislaid, which is usually due to human error. When such instances are brought to the Agency's attention urgent steps are taken to locate the missing item, and if necessary, action is taken to obtain a replacement from the customer. As current systems in general operate effectively, I have no specific plans to alter current arrangements for the handling of correspondence received from customers, though systems are kept under constant review.

Charities

Mrs Hanna asked the Minister for Social Development what steps she is taking to tighten up the regulation and governance of charities in Northern Ireland. (AQO 264/08)

Ms Ritchie: The reform of charities legislation is a priority for me and I wish to introduce a Bill for consideration by the Assembly this autumn. I am presently awaiting the agreement of my Executive colleagues. This legislation will ensure that we have a robust regulatory framework in place for charities in Northern Ireland who do an immense amount of good work for some of the most disadvantaged in our communities.

Disability Living Allowance

Mr McElduff asked the Minister for Social Development what plans she has to make the application procedure for Disability Living Allowance easier for those entitled to claim it. (AQO 228/08)

Ms Ritchie: Disability Living Allowance is an extremely complex benefit and the Social Security Agency is required by legislation to gather relevant information to assist in determining entitlement. The Agency works with the Department for Work and Pensions and the voluntary sector in an effort to simplify application procedures and this work is ongoing. For example a revised Disability Living Allowance (Adult)

claim form, Crystal Marked by the Plain English Campaign, was introduced in April this year to simplify the form further. The Benefit Enquiry Line, which is a free phone service, provides the customer with the opportunity to discuss and obtain advice on claim form completion. Customers are able to complete a claim form in different ways. They can opt for a telephone interview, which can be arranged at a mutually agreed time; arrange an appointment to have the form completed at a face-to-face interview or, using the DSD internet site, complete and submit the form online.

Affordable Housing

Mr Attwood asked the Minister for Social Development if she will give an update on the introduction of the developer contribution towards affordable housing in new private housing developments.

(AQO 259/08)

Ms Ritchie: This issue is primarily a matter for my colleagues Arlene Foster MLA and Conor Murphy MLA. However, I have supported joint working between the Department for Regional Development, the Department of the Environment and the Department for Social Development to progress the relevant Semple recommendations. The Joint Working Group is chaired by the Department for Regional Development. To date members have explored other affordable housing solutions and developer contributions aspects. Work has started on the revisions required to Article 40 / HS2 / PPS12 to facilitate the inclusion of intermediate housing and to revise the policy to ensure delivery of the developer contribution element.

Whilst an assessment of affordable housing schemes in England, Scotland and the Republic of Ireland identified individual merits for each, it also highlighted that private finance alone will not deliver such schemes and there is generally a significant cost to the public purse. There is also a need for specialist teams to negotiate with developers, and in the other jurisdictions it has taken on average five years to bring housing on stream. Precise mechanisms to effect the developer contribution are key to an effective solution.

The necessary consultation process, and any legislative requirements, will extend the time taken from policy development to actual implementation and real effect. Recent Judicial Reviews serve as a reminder to adhere to the required consultation processes.

Woodside Forest Park

Ms J McCann asked the Minister for Social Development to outline her responsibility in relation to the Woodside Forest Park in West Belfast. (AQO 283/08)

Ms Ritchie: The Department for Social Development owns the land in question and it is managed by Belfast Regeneration Office. The 'Woodside Forest Park' is not a designated forest park as such but is rather an area of open space amenity land, which runs from the Stewartstown Road to the Bell Steele Road in the Poleglass area of West Belfast. The majority of this land is an attractive wooded glen with a pathway network running through it.

I am of course aware of the concerns about anti-social activities associated with the area and indeed the more recent, serious assaults which have taken place. My Department is working closely with others, including the Housing Executive, Lisburn City Council, the Colin Neighbourhood Partnership, and the Police Service, to try to tackle these problems.

As an interim measure the Department has commissioned Conservation Volunteers Northern Ireland to carry out some work in and around the main footways in the glen. This work commenced at the weekend past. A major programme of environmental improvement works is planned for the area next year subject to agreement on the extinguishment of a number of public rights of way which is being taken forward by the Northern Ireland Housing Executive.

Decentralisation of Social Services

Mr Francie Molloy asked the Minister for Social Development what consideration she will give, as part of the Executive strategy to support rural communities, to the decentralisation of social services to local offices, and in particular Disability Living Allowance and Incapacity Benefit, to make these more accessible.

(AQO 260/08)

Ms Ritchie: I am committed to the Executive's strategy to support rural communities and I would highlight the fact that a substantial proportion of Social Security Staff is already deployed in local offices. I have no plans to decentralise the delivery of Disability Living Allowance or Incapacity Benefit to local offices. Customers who require information and advice or help with completing any benefit application form can call into their local Social Security or Jobs and Benefits Office.

Social Housing

Mr Elliott asked the Minister for Social Development what provision she is making to increase the number of social housing units in the Dungannon and South Tyrone area. (AQO 243/08)

Ms Ritchie: The current five year social housing development programme makes provision for 28 schemes totalling 302 units in the Council area.

The Northern Ireland Housing Executive has set up an internal focus group to address the various social housing issues in the Dungannon District including the following measures –

- A revisit of the programme to confirm sufficient units programmed.
- A dedicated Housing executive resource for three months to supplement the Housing Association focus on site search.
- Direct contact with local estate agents to raise awareness of site requirements.
- Reconfirming the full extent of Housing Executive land assets in the local area.
- Examining potential use of infill sites.
- Maximising the use of “existing satisfactory” purchase schemes.

I have also asked the Northern Ireland Housing Executive to draw up and cost a strategy for bringing back into use the empty homes mentioned in the Semple report. I have also asked Government Departments, the Northern Ireland Housing Executive and Local Councils to rigorously examine their current land-holdings and to advise me of any surplus land they may hold which would be suitable for social housing schemes.

Social Housing

Ms Ní Chuilín asked the Minister for Social Development if she will give an update on the waiting list for social housing in North Belfast. (AQO 284/08)

Ms Ritchie: At 31 March 2007 there were 2354 applicants on the waiting list for North Belfast, made up of 1,151 singles, 618 small families, 329 elderly, 108 large families, 122 small adult households and 26 large adult households. Of the overall total, 1,359 applicants have more than 30 points.

Child Poverty

Mr Cobain asked the Minister for Social Development what plans she has to monitor and report on severe child poverty in her department’s Households Below Average Income Report 2005-2006, using the methodology applied in Save the Children’s report ‘Severe Child Poverty in the United Kingdom’.

(AQO 238/08)

Ms Ritchie: The Northern Ireland Households Below Average Income Report for 2005-06 was published by my Department on 2 August 2007. It was

accompanied by a press release and is available on the Department’s website.

I am aware that there is a great deal of academic debate concerning the definition and analysis of poverty. Academics, charities and government departments amongst others, make use of data from this report to carry out their own research and to develop experimental methodologies. Whilst the assumptions applied from these experimental methodologies do not necessarily reflect current policy, they do contribute to the wider discussion on tackling poverty and in particular, child poverty. In particular the recent report from Save the Children, ‘A 2020 Vision’, highlighted the challenge ahead for the Executive if we are to eradicate child poverty in the North by 2020.

Within my own Department I am determined to do all that I can to tackle Child Poverty. This year the Social Security Agency will target 5,000 families in an innovative Benefit Up-Take programme aimed specifically at families with either three or more children or a child with a disability. In addition forthcoming changes to the work of the Child Support Agency will seek to reduce poverty and disadvantage by ensuring that parents who live apart maintain their children. I look forward to seeing what impact these initiatives make on the level of child poverty in the North.

Housing Crisis

Mr F McCann asked the Minister for Social Development to outline the timeframe for the development of the Housing Taskforce’s response to the recommendations of the Semple Report; and if this response will form the basis of the strategic departmental response to the housing crisis. (AQO 282/08)

Ms Ritchie: I set up and chair an Interdepartmental Affordability Review Implementation Group for the specific purpose of developing and delivering on an affordability implementation plan. The Group has made an initial assessment of the recommendations, identifying those recommendations which are acceptable, acceptable in principle or not acceptable. A draft implementation plan has also been developed and will be finalised by Christmas 2007. I have also established as Advisory Panel of Experts. I have asked them to present a full progress report before Christmas 2007.

Neighbourhood Renewal Strategy

Mr P Maskey asked the Minister for Social Development to detail her commitment to the neighbourhood renewal strategy; and to outline what new resources she and her Ministerial colleagues will

make available to ensure the success of this strategy.
(AQO 281/08)

Ms Ritchie: I am fully committed to the Neighbourhood Renewal Strategy which works across Government to tackle the key causes of deprivation and disadvantage in a strategic and joined up way. I am determined that the implementation of this Strategy will make a real difference to the life chances and quality of life of people living in the most deprived areas of Northern Ireland.

Government Departments, alongside their Non-departmental Public Bodies, are considering how they might respond to locally developed action plans, which detail the needs and priorities for each Neighbourhood.

A Neighbourhood Renewal Investment Fund of £60 million has been available for the period 2005 until March 2008, to supplement the very significant existing Government funding in Neighbourhood Renewal areas. I believe that additional funding needs to be found to support the delivery of the Neighbourhood Renewal Strategy.

I have therefore made a bid under the Investment Strategy for Northern Ireland for additional resources to be used to support Neighbourhood Renewal over the next budget period. I have also asked other departments to consider how they might best meet the priorities set out in Neighbourhood Action Plans. Future funding will, of course, be dependent on the outcome of the Executive Committee's discussions on the budget.

Regeneration

Mr A Maginness asked the Minister for Social Development if she will give an update on the regeneration process at the Crumlin Road and Girdwood sites in North Belfast.
(AQO 256/08)

Ms Ritchie: The site of the former Crumlin Road Gaol and Girdwood Army Barracks in North Belfast is the subject of a masterplanning process at present.

I have recently taken receipt of a draft Masterplan for the site prepared by consultants, under the auspices of the Crumlin Road Gaol and Girdwood Park Advisory Panel. The plan is illustrative and demonstrates the potential future uses of the site. At this stage, no prospective use has been precluded. In keeping with its mixed-use zoning, the site could be used for tourism, leisure, business development or housing, including social housing.

I expect to issue the draft Masterplan for public consultation and will then wish to take full account of all views expressed in relation to the development of this key regeneration site.

When coming to decisions on the way forward, I will take account of a variety of factors, including the need for regeneration and obligations contained in Section 75 of the Northern Ireland Act.

In advance of such decisions, a £1m programme of repairs and restoration has been completed recently to maintain the fabric of the Grade A listed Gaol building. In recent weeks I have also agreed to open the Gaol for tours to provide public access through to December 2007. Both the recent works and the Gaol tours will hopefully help to highlight the longer-term development potential of this wonderful landmark building and the opportunity that exists to regenerate the overall 27 acre Gaol and Girdwood site.

Child Poverty

Miss McIlveen asked the Minister for Social Development to outline her dissemination policy for the Households Below Average Income Report 2005-2006; and what plans she has for public engagement on such issues, in particular the level of child poverty.
(AQO 211/08)

Ms Ritchie: The Northern Ireland Households Below Average Income Report for 2005-06 was published by my Department on 2 August 2007. It was accompanied by a press release and is available on the Department's website.

I am aware that there is a great deal of academic debate concerning the definition and analysis of poverty. Academics, charities and government departments amongst others, make use of data from this report to carry out their own research and to develop experimental methodologies. Whilst the assumptions applied from these experimental methodologies do not necessarily reflect current policy, they do contribute to the wider discussion on tackling poverty and in particular, child poverty. In particular the recent report from Save the Children, 'A 2020 Vision', highlighted the challenge ahead for the Executive if we are to eradicate child poverty in the North by 2020.

Within my own Department I am determined to do all that I can to tackle Child Poverty. This year the Social Security Agency will target 5,000 families in an innovative Benefit Up-Take programme aimed specifically at families with either three or more children or a child with a disability. In addition forthcoming changes to the work of the Child Support Agency will seek to reduce poverty and disadvantage by ensuring that parents who live apart maintain their children. I look forward to seeing what impact these initiatives make on the level of child poverty in the North.

ASSEMBLY COMMISSION

Assembly Shop

Mr Cree asked the Assembly Commission to outline whether or not the Assembly shop can accept all visitors' credit and debit cards, with particular reference to American visitors. (AQW 393/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): The Assembly shop can accept all U.K. credit and debit cards and American Express has been available for customer transactions from March of this year. To-date no American Express transaction has been sought by customers.

Assembly Shop

Mr Cree asked the Assembly Commission what plans it has to extend the gift selection in the Assembly shop. (AQW 394/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): Eures are currently exploring new and innovative ideas to extend the current gift shop selection. Such as:

- new range of quality chocolate;
- new N.I. Assembly crested cuff links;
- wine - N.I. Assembly crested wine;
- CD Picture Postcards - a full DVD/CD picture postcard which is very light weight and easy to carry;
- a new range of business gifts, folders, pens, credit card holders etc.; and
- N.I. Assembly tie pin; and ladies brooch.

Eures are also considering a new on-line ordering system that could be accessed via the N.I. Assembly web page. Eures management are keen to encourage a greater use of the shop by both internal and external customers and extending the gift selection forms part of this. Of course, any new lines will require Assembly Commission approval.

Assembly Shop

Mr Cree asked the Assembly Commission to detail the sales figures for each stocked item sold in the Assembly shop, broken down by month, in each of the last two years. (AQW 395/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): The Assembly Commission awarded the Support Services contract from Mountcharles to Eures in April 07 and as such we do not hold retrospective sales figures by stocked item over that period. Eures are currently in the process of

implementing a computerised stock system which will collect information in this manner. However, to assist with your query, we attach a table of net sales figures for stock sold from the Assembly Gift shop by month over the previous two years.

Net Sales figures for the Assembly Gift Shop from March 2007 are as follows:

Month	Net Sales	Month	Net Sales
August 2005	£285.40	September 2006	£1639.86
September 2005	£629.80	October 2006	£1116.83
October 2005	£272.49	November 2006	£856.85
November 2005	£95.50	December 2006	£903.13
December 2005	£221.69	January 2007	£605.94
January 2006	£61.30	February 2007	£319.20
February 2006	£121.11	March 2007	£222.38
March 2006	£608.22	April 2007	£1040.78
April 2006	£703.04	May 2007	£1590.86
May 2006	£1364.16	June 2007	£4232.10
June 2006	£2003.77	July 2007	£1510.64
July 2006	£1204.82	August 2007	£1935.72
August 2006	£404.97		

Assembly Shop

Mr Leslie Cree asked the Assembly Commission to provide a list of the stock currently available in the Assembly shop. (AQW 396/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): Full list of Stock

- *Confectionery* - Crisps, chocolate bars, soft drinks, boxed chocolates.
- *Stationery* - Greetings cards, wrapping paper, money wallets.
- *Post* - 1st and 2nd Class postage stamps.
- *Papers* - Sale of eight morning newspapers and the Evening Belfast Telegraph.
- *Toiletries* - Headache tablets, ladies tights, body spray, toothpaste and toothbrush.
- *Assembly Gifts* - Pencils, rulers, erasers, postcards x 2 type, books, Parker pens, roller ball pens, handkerchiefs x 4 type, mounted pictures, framed pictures, Tyrone Crystal paperweight, Assembly crested cuff links, Credit Card holders, A4 folders, bookmarks, tinned mints, boxed toffee, boxed fudge, jars of sweets x 3 varieties, crested thimbles.

Assembly Shop

Mr Cree asked the Assembly Commission what plans it has to meet with tour bus operators visiting the Stormont Estate, with a view to allowing passengers on such buses to visit the Assembly shop.

(AQW 397/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): At present there are no plans to meet with tour bus operators. However, as Parliament Buildings is open to the public, visitors are entitled to access the Great Hall and the Assembly gift shop during the hours of 9.00am – 4.00pm.

Security Arrangements for Parliament Buildings

Mr McCallister asked the Assembly Commission to provide an update on security arrangements for Parliament Buildings.

(AQO 198/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): Following the Commission's approval of the security review's recommendations, work has been progressing on all fronts. You may already be aware that a number of the recommendations have already been implemented; such as:

- upgrading exterior lighting;
- updating the public address system;
- devising crisis management plans; and
- improvements to plant room security and mail screening.

With regard to other recommendations the current position is as follows:

- the service level agreement with PSNI is nearing completion and will be brought to the Commission for consideration before final sign-off. This will provide a permanent police unit in Parliament Buildings and its environs on all week days from October with particular emphasis on sitting days. This will increase the police complement to one sergeant and eight constables. Currently cover is provided by two permanent officers with additional support from outlying police units.
- Work on the external search facility has commenced and this will provide the impetus to complete all perimeter and associated security measures.
- Work on traffic flow and pedestrian restrictions is also being progressed.

NORTHERN IRELAND ASSEMBLY

Friday 12 October 2007

Written Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Planning Appeals

Mr Shannon asked the Office of the First Minister and Deputy First Minister to outline the decision-making process for planning appeals, with specific reference to the role of each individual Commissioner responsible in making decisions on appeals, and the involvement of the Chief Commissioner in reaching such decisions. (AQW 435/08)

The First Minister and deputy First Minister (Rev Dr Ian Paisley and Mr M McGuinness): The Planning Appeals Commission is a statutory appellate body established under Article 110 of the Planning (Northern Ireland) Order 1991 to decide a wide range of appeals against decisions of the Department of the Environment's Planning Service and to report on various matters under planning and other legislation.

Given the independent tribunal status of the Commission, it is appropriate that the Chief Commissioner should provide a response regarding the information being sought and we understand he has written to you as follows.

"I have been asked to provide you with information requested in the above Assembly Question.

The process for determining planning appeals is set out in the Commissions publication, "Procedures for Planning Appeals", which is available on our website under "Publications". Please refer to paragraphs 6 and 46 to 48 of this document, which clearly explains our procedures.

The evidence presented in each appeal is considered by the appointed Commissioner who determines the appeal, if making an individual decision, or who reports to a group of not less than 4 Commissioners, if a

collective decision is required. In the latter circumstances the appeal is determined by the majority of the group.

The Chief Commissioner is involved in appeals as an appointed Commissioner to determine appeals and also as a member of the collective decision-making group.

I would be happy to provide any further information you require arising out of this response or to meet with you to discuss the matter if that would be more suitable."

Planning Appeals

Mr McKay asked the Office of the First Minister and deputy First Minister to detail the backlog of planning appeals at the end of August 2007, in (i) the Moyle District Council area; (ii) the Ballymena Borough Council area; and (iii) the Ballymoney Borough Council area; and to detail the number and percentage of these appeals that were successful in the 2006/07 year.

(AQW 480/08)

The First Minister and deputy First Minister:

The Planning Appeals Commission is a statutory appellate body established under Article 110 of the Planning (Northern Ireland) Order 1991 to decide a wide range of appeals against decisions of the Department of the Environment's Planning Service and to report on various matters under planning and other legislation.

Given the independent tribunal status of the Commission, we have asked the Chief Commissioner to provide a response directly to you. We understand the Commissioner has responded to you in the following terms:

"I have been asked to reply to the above assembly question.

2006/07				
Council Area	Backlog at 31 August 2007	No. of Decisions Made	No. Successful	% Successful
Moyle	35	11	3	27.3
Ballymena	145	38	14	36.8
Ballymoney	46	21	7	33.3

I would be happy to provide any further information you require arising out of this response or to meet with you to discuss the matter if that would be more suitable."

Gender Equality Strategy

Ms J McCann asked the Office of the First Minister and Deputy First Minister to indicate when a date will be set for a meeting between the Gender

Equality Unit and the Gender Advisory Panel, in order to further the implementation of the Gender Equality Strategy. (AQW 550/08)

The First Minister and deputy First Minister:

The Unit plans to meet with the Gender Advisory Panel in November 2007 to take forward the implementation of the Gender Equality Strategy.

Annual Remembrance Ceremonies

Mr Cree asked the Office of the First Minister and Deputy First Minister what discussions it has had with the Royal British Legion in regard to this year's Annual Remembrance ceremonies and appeal.

(AQO 359/08)

The First Minister and deputy First Minister:

The Office of the First Minister and deputy First Minister has had no discussions with the Royal British Legion in regard to this year's Annual Remembrance ceremonies and appeal.

Inward Investment

Mr P Maskey asked the Office of the First Minister and Deputy First Minister what steps it is taking to fully realise the potential for inward investment in the improving political climate. (AQO 345/08)

The First Minister and deputy First Minister:

We refer the member to the recent answer given to his Assembly Question AQO 164/08 on Monday 24 September which sets out our engagement in a range of major initiatives designed to encourage investment, particularly from the US.

North-South Ministerial Council Meetings

Mr McElduff asked the Office of the First Minister and Deputy First Minister to detail arrangements and emerging agenda items for the next meeting of the North-South Ministerial Council, and to outline the schedule of North-South Ministerial Council meetings to take place over the coming months.

(AQO 367/08)

The First Minister and deputy First Minister: At the Plenary meeting on 17 July 2007, the Council considered and approved a schedule of North South Ministerial Council (NSMC) meetings to take place over the coming months. A copy of the Schedule has been placed in the Library.

The NSMC Secretariat is working with relevant Departments to agree precise dates for these meetings.

Prior to each NSMC meeting, the Executive and Assembly will be given information on the date, agenda and Ministerial attendance. Following the meeting, a report will be made to the Assembly.

Undocumented Irish

Mr P J Bradley asked the Office of the First Minister and Deputy First Minister what steps it will take to assist the 'undocumented Irish' in their desire to attain legal status in America. (AQO 306/08)

The First Minister and deputy First Minister:

The issue of undocumented Irish people living in the United States is one that the Northern Ireland Bureau is watching carefully. The term "undocumented" describes the immigration status of people who do not have the federal documentation to show that they are legally entitled to work, visit or live in the US. Some of the undocumented come from Northern Ireland although the numbers are not known.

The Embassy of Ireland has taken the political and diplomatic lead on this issue in Washington DC and keeps the Bureau fully informed of activities.

In June 2007, the Comprehensive Immigration Reform Bill sponsored by Senator Kennedy was debated by the Senate. This Bill would have addressed the status of the undocumented in the United States. The Bill which offered a pathway to citizenship for undocumented immigrants and future arrivals was defeated by a procedural vote.

The Bureau maintains contact with organisations in the US looking after the needs of the 'undocumented'.

Attacks on Orange Halls

Mr Campbell asked the Office of the First Minister and Deputy First Minister what action it has taken following the debate on attacks on Orange Halls.

(AQO 364/08)

The First Minister and deputy First Minister:

On Tuesday 11 September the Assembly debated the motion: *'that this Assembly condemns all attacks on Orange Halls and calls on all political parties to use their influence to stop such sectarian attacks.'*

It was a very good debate and the motion was unanimously supported by all the political parties in the Assembly. Junior Minister Kelly, who responded to the debate, undertook to forward to the Secretary of State the report of the debate for his attention since policing and justice generally, is still a reserved matter.

We wrote to the Secretary of State on 3 October enclosing a copy of the report and reiterating our strong condemnation, and that of the House, to such attacks.

Economic Development

Miss McIlveen asked the Office of the First Minister and Deputy First Minister to confirm that economic development is a key priority for the Executive Committee. (AQO 387/08)

The First Minister and deputy First Minister:

The Executive is determined to seize this opportunity to deliver a better future for all our people. That future must be built on the foundation of a dynamic and competitive economy if we are to deliver a peaceful, just and prosperous society which benefits all our people. In this context, addressing the economic challenges we face, and providing the conditions for economic growth will be a key priority for the Executive.

European Union Agenda

Mr Ross asked the Office of the First Minister and Deputy First Minister to detail what action is being undertaken in Brussels, to ensure that Northern Ireland remains high on the European Union agenda. (AQO 336/08)

The First Minister and deputy First Minister:

The visit of the European Commission's President Barroso on 1 May 2007, demonstrated that there is a reservoir of interest and goodwill in Europe towards Northern Ireland and one of the main challenges facing us is how we can best make use of that goodwill to make Northern Ireland a better place to live, work, study and invest.

Since President Barroso's visit, the deputy First Minister and both Junior Ministers have visited Brussels and met with senior European Commission officials and the UK and Irish Permanent Representatives. We plan to visit Brussels together later this year to hear at first hand of the progress being made by the European Commission Task Force that was established following President Barroso's visit.

The Task Force provides a unique opportunity for Northern Ireland to engage with Europe, both in formulation of policy and in accessing the financial assistance that is available to regions with our needs. The European Commission is committed at the highest level to making the work of the Task Force a success and we are committed to ensuring that the Executive responds with equal vigour. Senior officials from each Department have now been asked to work with the Task Force to ensure we maximise the opportunity that has been offered.

In addition to the Task Force work, we are aware that a number of Ministerial colleagues have visited Brussels and met with senior political and official figures on Departmental business. This level of engagement is important in keeping Northern Ireland

in the minds of our European colleagues and we cannot emphasise enough the value of personal contact with those people in the European Commission and other bodies who are leading on the matters that are important to us.

We must also mention the work being carried out by the Office of the Northern Ireland Executive in Brussels, which is an integral part of the OFMDFM. The Office supports visiting Ministers and officials and promotes Northern Ireland's interests in the EU. As well as working to keep Departments and Ministers advised on European policy matters, the Office takes an active role in engaging with contacts within the European Institutions, other National and regional offices and civic bodies based in Brussels.

As part of this active engagement the Brussels office has managed Northern Ireland's participation in the Committee of the Regions and European Commission 'Open Days' events. Along with partners from Spain, Portugal, France, Ireland and other UK regions, Northern Ireland, through the Department of Social Development and Belfast City Council, is participating in a seminar showcasing the regeneration of Belfast's former shipbuilding areas. In a separate event, the Department of Finance and Personnel and the Special EU Programmes Body are hosting a seminar on the lessons learned from the EU Peace Programmes.

We have also engaged with Members of the European Parliament's Regional Development Committee in their recent visit to Northern Ireland and Ireland and we would pass our thanks to our colleagues in that House for their work in promoting the visit and ensuring that Northern Ireland remains high on the agenda in that important Institution.

Civic Forum

Mr Hilditch asked the Office of the First Minister and Deputy First Minister what plans it has to re-convene a meeting of the Civic Forum. (AQO 334/08)

The First Minister and deputy First Minister:

We are agreed on the importance of continuing to seek the views of civic society in developing policy but we recognise that the nature of our society has changed considerably since the original Forum was set up. We have therefore decided to commission a fresh review to examine the structure, membership and role of the Forum.

When this review has been completed we will present our proposals to the Executive.

Development at the Maze Site

Mr Elliott asked the Office of the First Minister and Deputy First Minister what discussions it has had

with the Royal Ulster Agricultural Society in regard to development at the Maze site. (AQO 358/08)

The First Minister and deputy First Minister:

The multi-party Maze Consultation Panel in their 2005 report recommended a rural excellence and equestrian zone, including an international exhibition centre and showgrounds. The Maze/Long Kesh Masterplan, published in May 2006, built on these proposals which have been subject to discussion with the Royal Ulster Agricultural Society (RUAS). In March 2007 the RUAS reaffirmed their interest in moving to the proposed Maze/Long Kesh development site. It would now be a matter for the RUAS to develop and bring forward their proposals and to work with any development partners who may be appointed to regenerate the Maze/Long Kesh to bring these to fruition.

Victims' Commissioner

Mrs Long asked the Office of the First Minister and Deputy First Minister what progress it has made in the past four weeks in relation to the appointment of a Victims' Commissioner. (AQO 377/08)

The First Minister and deputy First Minister:

We have decided to extend the appointment process and re-advertise the position. We intend to announce the new Commissioner for Victims and Survivors before the end of the year.

Programme for Government

Mr Hamilton asked the Office of the First Minister and Deputy First Minister to give a timetable within which a Programme for Government will be published, and to detail how this will guide Executive priorities. (AQO 328/08)

The First Minister and deputy First Minister: Since devolution was restored on 8 May, the Executive has taken forward work to develop and agree a Programme for Government which, in line with the Comprehensive Spending Review settlement, will set our policy and spending priorities and plans for 2008 - 2011.

To ensure a clear alignment between our policy and spending priorities, the Executive is taking a co-ordinated approach to the development of the Programme for Government, the Budget and the Investment Strategy. We are working towards publication of these documents in draft form for consultation by early November. This will enable the Executive to take full account of the outcome of the CSR exercise.

Cost of Division

Mr McCarthy asked the Office of the First Minister and Deputy First Minister how it intends to tackle the cost of division as set out in 'The Cost of Division - A Shared Future Strategy'. (AQO 373/08)

The First Minister and deputy First Minister:

The cost of division research was commissioned by the previous administration on 29 March 2006 and was conducted and finalised during direct rule.

We believe that by tackling the causes of division in our society, sectarianism and racism, that a reduction of consequential costs will follow.

The report focuses on just one of a range of issues which must be considered. The report itself recognises that arriving at exact costs is not possible and that the timeline for change could be very long.

For that reason we have cautioned against plucking a figure out of the air. The issue is much more complex than simply reducing the research to a figure.

AGRICULTURE AND RURAL DEVELOPMENT

Designated Water Courses

Mr Shannon asked the Minister of Agriculture and Rural Development, pursuant to her answer to AQW 819/07, to detail whether or not the Rivers Agency has made approaches to riparian landowners to ensure that grilles for designated water courses are checked and cleared. (AQW 451/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): Inspection and maintenance of some 830 culvert inlet protection grilles on designated watercourses across Northern Ireland is undertaken by Rivers Agency as part of its works programme and is not deemed to be a riparian landowner responsibility. These grilles are inspected routinely by Rivers Agency's staff, either on weekly basis in vulnerable areas, or monthly in less vulnerable areas, and debris with the potential to cause obstruction to flow is removed. Additional inspections, and any necessary clearance, are undertaken during and after periods of heavy rainfall.

Similar work in respect of undesignated watercourses is a riparian landowner responsibility which can be enforced by Rivers Agency under the Drainage (Northern Ireland) Order 1973.

Rural Development Programme 2007-2013 - Action Groups

Mr Bresland asked the Minister of Agriculture and Rural Development to detail (i) the number of action groups that will be established to deliver the Quality of Life and Farm Family options measures of the Northern Ireland Rural Development Programme 2007-2013; (ii) what role the farming and rural community will have in the proposed Action Groups; and (iii) how the Action Groups will be selected. (AQW 452/08)

Ms Gildernew:

- (i) I expect the Councils to self define into a number of local action groups although the actual number is still being negotiated with my officials.
- (ii) Farmers and Farm Families will have a significant role to play in the Local Action Groups because they must be fully representative of the various programmes Measures (including diversification which is exclusive to farmers) and of the area they serve.
- (iii) Local Action Groups will be established following an open and transparent competitive process by the Council Clusters in their respective areas.

Sperrins Environmentally Sensitive Area Scheme

Mr Bresland asked the Minister of Agriculture and Rural Development to outline the number of farms participating in the Sperrins Environmentally Sensitive Area Scheme; and what efforts are being made to increase participation in the Scheme, within the Sperrins area. (AQW 454/08)

Ms Gildernew: At April 2007 there were 1351 participants (equating to 62,500 ha of land) in the Environmentally Sensitive Areas (ESA) Scheme in the Sperrins Region. The ESA Scheme is closed to further applications. The NI Countryside Management Scheme (NICMS) is an integral part of the NI Rural Development Programme (NIRDP) 2007 to 2013. Development of the NICMS is ongoing and it is anticipated that this scheme will be open to applications in late spring/early summer 2008. The opening of the NICMS will be widely promoted via the local media to encourage uptake by potential applicants throughout the North of Ireland.

New Entrants Scheme

Mr Bresland asked the Minister of Agriculture and Rural Development to detail the number of successful

applicants, in the West Tyrone area, who have received funding under the New Entrants Scheme. (AQW 455/08)

Ms Gildernew: Four people in West Tyrone have been cleared to submit a claim for funding under the New Entrants Scheme. Of these one has been paid, another is pending payment and two have not yet submitted their claims.

Common Fishing Strategy

Mr W Clarke asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister with responsibility for fisheries in the Republic of Ireland, regarding the development of a common fishing strategy. (AQW 517/08)

Ms Gildernew: I believe there is huge potential for greater co-operation between North and South to develop a common fishing strategy for the benefit of all our fishermen. There is already close co-operation between my officials and their southern counterparts on areas such as the Irish Sea Data Enhancement Pilot, seed mussel exploitation and the sharing of information about aquaculture development. I will be meeting Minister Mary Coughlan TD soon to explore ways in which we can further develop this relationship.

Flooding at Tromra Road, Cushendall

Mr O'Loan asked the Minister of Agriculture and Rural Development to detail the progress made by the Rivers Agency and the Roads Service, in relation to addressing flooding at Tromra Road, Cushendall. (AQW 531/08)

Ms Gildernew: I understand that flooding of the Tromra Road at Cushendall was largely caused by floodwater from the Dall River, exacerbated by over-land flows, collecting in a localised hollow at Black's Bridge just south of the junction with Gault's Road. Rivers Agency and Roads Service have liaised and will continue to liaise on remedial action. Rivers Agency has undertaken limited emergency maintenance on the watercourse at Tromra Road to remove obstructions to flow, improve flow conditions in the channel and prevent further erosion of banks affecting roadways. While this maintenance will provide improvement in the hydraulic capacity of the river, it is unlikely that it will enable the channel to contain flooding of the severity of the July event. Consequently Rivers Agency is in the process of commissioning a feasibility study of flood defence improvements at the locations on Tromra Road that were affected by flooding. The commission will recommend a holistic approach taking into account not only watercourse

related flooding but also flooding from roads and overland flow. Any flood defence improvements will be subject to viability, and availability of resources.

Since the flooding, the Department for Regional Development's Roads Service has also agreed to investigate longer term measures to prevent floodwater building up at this location. However, this is likely to involve extensive reshaping/resurfacing of the existing carriageway and could not be undertaken until the next financial year.

Officials from Roads Service and the Department of Agriculture and Rural Development's Rivers Agency met in August to consider how road drainage in the wider area might be improved to enable large volumes of water to be removed more quickly from the road. Interim low-cost measures, such as creating new or widening existing outlets on Tromra Road and Glenna Road, were identified and as many of these as possible will be implemented within the current financial year.

Farmers Affected by Flooding

Mr O'Loan asked the Minister of Agriculture and Rural Development to detail the amount of compensation that has been secured for farmers affected by flooding in July 2007, who were not entitled to assistance from the 'Distress Fund' available to householders through district councils. (AQW 532/08)

Ms Gildernew: The Scheme of emergency Financial Assistance to District Councils was restricted to assisting householders, so if a farmer's household was affected then he would be eligible, but cover was not extended to any part of the business sector, including the farming industry.

Brown Crab

Mr W Clarke asked the Minister of Agriculture and Rural Development to detail the quantity of brown crab landed in Northern Ireland, in each of the last twelve months. (AQW 547/08)

Ms Gildernew: Total Brown Crab landed from September 2006 until August 2007.

Month	Live wgt (tonnes)	Value (£)
September 06	139.4263	108,100.00
October 06	162.478	136,921.8
November 06	76.6857	68,910.86
December 06	52.856	46,120.3
January 07	30.574	25,346.3
February 07	19.4149	16,087.7

Month	Live wgt (tonnes)	Value (£)
March 07	16.5526	14,021.3
April 07	17.859	14,926.8
May 07	23.6386	17,813.91
June 07	36.692	29,961.2
July 07	64.4802	51,193.12
August 07	83.622	64,045.55
Total	724.2793	593,448.84

Animal Incinerators

Mrs I Robinson asked the Minister of Agriculture and Rural Development if she will provide the addresses of all animal incinerators which are currently operating on farms across Northern Ireland.

(AQW 579/08)

Ms Gildernew: I have provided the addresses of all on-farm incinerators, which are currently approved in accordance with the Animal By-Products Regulations (NI) 2003, in the attached list.

LIST OF APPROVED ON-FARM INCINERATORS IN NORTHERN IRELAND ANIMAL BY-PRODUCTS REGULATIONS (NI) 2003

Approval number	Name	Address
ICN/405/05	Mr Alan McFarland	163 Donaghane Road, Beragh, Co Tyrone, BT79 0XE
ICN/413/05	M S Dougan	97 Redrock Road, Armagh, Co Armagh, BT60 8BN
ICN/414/05	Mr John McMenamin	24 Magherafelt Road, Dromore, Co Tyrone, BT78 3HH
ICN/415/05	Mr Adam Lawson	90 Old Eglis Road, Dungannon, Co Tyrone, BT71 7PG
ICN/418/05	Mr Liam Gerard Collins	Aghamore South, Lisnaskea, Co Fermanagh, BT92 0EB
ICN/420/05	Mr Glenn Allen	19 Garvaghey Road, Ballygawley, Co Tyrone
ICN/421/05	E Patterson	26 Springhill Road, Glennane, Co Armagh, BT60 2LF
ICN/422/05	John & Ruth Steen	56A Moghan Road, Dungannon, Co Tyrone, BT70 3BZ
ICN/423/05	Tintagh Broiler Unit	60 Letteran Road, Moneymore, Co L'Derry, BT45 7UB
ICN/424/05	Mr Gerry Loughran	72 Dunamore, Cookstown, Co Tyrone, BT80 9NX
ICN/425/05	Mr Stephen Duff	55 Dergenagh Road, Dungannon, Co Tyrone, BT70 1TW

Approval number	Name	Address
ICN/426/05	Mr Jonathon Ewing	51 Thornhill Road, Dungannon, Co Tyrone, BT70 3LP,
ICN/428/05	Mr Raymond Busby	14 Feddan Road, Ballygawley, Co Tyrone, BT70 2AP
ICN/430/05	Mr Trevor Leyburn	10 Glassdrummond Road, Middletown, Co Armagh, BT60 3QH
ICN/433/05	Mr Bingsley Bell	5 Glendavagh Road, Aughnacloy, Co Tyrone, BT69 6EZ
ICN/434/05	Mr Robert McNeill	131 Caledon Road, Aughnacloy, Co Tyrone, BT69 6HZ
ICN/435/05	Mr David Drennan	34 Drumbolg Road, Maghera, Co L'Derry, BT46 5UD
ICN/436/05	Mr John Dennis Knipe	26 Baltarran Road, Armagh, Co Armagh, BT60 4LF
ICN/437/05	Mr Leslie Knipe	10 Maydown Road, Drumsallen, Armagh, BT61 8BU
ICN/438/05	Mr William George Brown	13 Annahaul Road, Newmills, Co Tyrone, BT71 4BU
ICN/444/05	Mr Thomas Newell	360 Newry Road, Kilkeel, Co Down, BT34 4SF
ICN/445/05	Robert Kernaghan	21 Kilkivamurray Road, Castlewellan, Co Down, BT31 9QR
ICN/446/05	Mr Ian Clyde	22 Botera Upper Road, Clanabogan, Omagh, Co Tyrone, BT78 5DG
ICN/452/05	Mr E Jason Browne	99 Peacock Road, Strabane, Co Tyrone, BT82 9NF
ICN/462/05	Mr Ian Forgrave	143 Finvoy Road, Ballymoney, Co Antrim, BT53 7JL
ICN/464/05	Yvonne McCrea	60 Drumskea Road, Ballymoney, Co Antrim, BT53 7JD
ICN/465/05	Leslie Blakely	57 Bannfield Road, Rathfriland, Co Down, BT34 5HQ
ICN/468/05	John, Philip & Edith Swaile	10 Ballykilly Road, Sandholes, Cookstown, Co Tyrone, BT80 9BX
ICN/466/05	Mr P Brown	24 Bog Road, Ballymena, Co Antrim, BT44 4HH
ICN/470/05	Mr William Mark Linton	208 Drumcroone Road, Coleraine, Co L'Derry, BT51 3SQ
ICN/473/05	Mr Thomas Singleton	20 Dergnagh Road, Ballygawley, Co Tyrone, BT70 2JY
ICN/474/05	Mr Wayne Acheson	60 Killyclougher Road, Cookstown, Co Tyrone, BT80 8HA
ICN/476/05	Mr Samuel Montgomery	53 Kirk Road, Ballymoney, Co Antrim, BT53 8HB
ICN/478/05	Mr John C Wallace	123 Aughentaine Road, Clabby, Fivemiletown, Co Tyrone, BT75 0RW
ICN/481/05	Mr Mark Adams	9 Peacock Road, Sion Mills, Co Tyrone, BT82 9NN

Approval number	Name	Address
ICN/482/05	Mr John Adams	67 Kinnyglass Road, Macosquin, Coleraine, Co L'Derry, BT51 4LP
ICN/483/05	Mr Ronald Patterson	Oak Bank, Mount Prospect, Derrylin, Enniskillen, Co Fermangh, BT92 9LS
ICN/484/05	Mr W Kerr	Raceview, 51 Hallaghan Road, Sixmilecross, Co Tyrone, BT79 9DW
ICN/485/05	Mrs M Crozier	149 Seagahan Road, Collone, Co Armagh, BT60 2BT
ICN/486/05	Mr Kevin Grimes	73 Drumduff Road, Beragh, Co Tyrone, BT79 0SD
ICN/487/05	Mr Roger Latimer	131 Carnalea Road, Seskanore, Omagh, Co Tyrone, BT78 2PP
ICN/489/05	Mr Patrick Loughran	70 Loughbranken Road, Pomeroy, Co Tyrone, BT70 2SF
ICN/490/05	Mr David Ramsay	10 Culramoney Road, Ballymoney Co Antrim, BT53 8LL
ICN/492/05	Mr Brian A Hamilton	12 Loughadoo Road, Ardkeen, Kircubbin, Co Down , BT22 1HN
ICN/493/05	Mr George Knipe	151 Battleford Road, Armagh, Co Armagh, BT61 8BT
ICN/495/05	Mr Edward McDonald	6 Doogary Road, Tyan, Co Armagh BT60 4TE
ICN/496/05	Mr Kate Rodgers	14 Lisheeghan Lane, Ballymoney, Co Antrim, BT53 7JZ
ICN/497/05	Mr Lawrence & Shiona Heslip	48 Tullywhinney Road, Ballygawley Co Tyrone, BT70 2NA
ICN/498/05	Mr R Abernethy	64 Drumhubber Road, Dungannon, Co Tyrone, BT71 5EB
ICN/501/05	Mr NR & Mrs J Aiken	59 Dyan Road Caledan, Co Tyrone, BT68 4XA
ICN/502/05	Mr John Foye	25 Derryhirk Road, Dungannon, Co Tyrone, BT71 6NH
ICN/503/05	Mr Mervyn Shaw	7 Legaterriff Road, Lisburn, Co Antrim, BT28 2EY
ICN/504/05	Mr Kenneth Montgomery	42 Toberooney Road, Liscolman, Ballymoney, Co Antrim, BT53 8DN
ICN/505/05	Mr Seamus McGirr	36 Errigal Road, Ballygawley, Co Tyrone, BT70 2DQ
ICN/506/05	Mr Alistair F. Doran	38 Finulagh Road, Castlecaulfield, Co Tyrone, BT70 3DE
ICN/508/05	Mr Tom Taylor	The Palace Farm, 50 Keady Road, Armagh, Co Armagh, BT60 3NW
ICN/509/05	Mr James & Wesley George	28 Cabragh Road, Armagh, Co Armagh, BT61 8EY
ICN/512/05	A & B Jefferson	1 Tursallagh Road, Sixmilecross, Co Tyrone, BT79 9EA

Approval number	Name	Address
ICN/511/05	Mr William Jordan	8 Raveagh Road, Eskra, Omagh, Co Tyrone, BT78 1UZ
ICN/513/05	Mr Oliver Anderson	22 Flushtown Road, Sixmilecross, Co Tyrone, BT79 9DY
ICN/517/06	Mr William Keatley	7 Garrison Road, Magherafelt, Co L'derry, BT45 8RD
ICN/518/06	Mr Eugene Donnelly	55 Lettergesh Road, Dromore, Omagh, Co Tyrone, BT78 3WG
ICN/516/06	Mr Sidney Millar	26 Stillago Road, Dungannon, Co Tyrone, BT71 7QH
ICN/520/06	Mr David Preston	58 Ballymagarney Road, Loughgall, Co Armagh, BT61 8PL
ICN/523/06	Mr Mervyn Boyle	32 Gortnagross Road, Dungiven, Co L'Derry, BT47 4QP
ICN/524/06	Mr Shane Kearney	35 Belmont Road, Kilkeel, Co Down BT34 4LA
ICN/531/06	Nugent Estate	Portaferry House, 6 Coach Road, Portaferry, Co Down, BT22 1PP
ICN/533/06	Mr Charles Crawford, Erne Eggs Ltd	Manor Waterhouse Farm, Lisnaskea, Co Fermanagh, BT92 0BN
ICN/537/06	Mr Nigel & Jim Irwin	Irwin Bros, 3 Carrowcolman Road, Eglisish, Co Tyrone, BT70 1LF
ICN/538/06	Mr Seamus Patterson	80 Main Street, Randalstown, Antrim, Co Antrim, BT41 3BB
ICN/539/06	Mr Stanley Gordon	Shean Church-Hill, Enniskillen, Co Fermanagh, BT93 6LL
ICN/541/06	Mr T Kyle	16 Old Tyanee Road, Portglenone, Co Antrim, BT44 8JJ
ICN/548/07	G & A Young	G & A Young, 11 Rosedene Road, Castlederg, Co Tyrone, BT81 7JR
ICN/557/07	Mr Clive Allen	43 Errigal Road, Ballygawley, Co Tyrone, BT70 2DQ
INC/567/07	Mr John McKinley	65 Whitepark Road, Ballycastle Co Antrim, BT54 6LP
ICN/568/07	Mr Joe O'Donnell	Caddy Veterinary Practice, 19 Caddy Road, Randalstown, Co Antrim, BT41 3DL
ICN/569/07	Mr Malcolm MacNaghten	MacNaghten Farms Ltd, 20 Dundarave Road, Bushmills, Co Antrim, BT57 8ST
ICN/570/07	Mr David Nicholson	147 Keady Road, Armagh, Co Armagh, BT60 3AE
ICN/571/01	Mr Norman Reid	Aghinure, Maguiresbridge, Co Fermanagh, BT94 4NR
ICN/572/07	Mr John Jackson	26 Carrickfergus Road, Ballynure, Ballyclare, Co Antrim, BT39 9UW
INC/573/07	Mr Aeneas Quinn	27 Kiltyclay Road, Gortavilly, Sandholes, Co Tyrone, BT80 9DA

Animal Incinerators

Mrs I Robinson asked the Minister of Agriculture and Rural Development to detail (i) the number of man hours committed to monitoring animal incinerators on farms across Northern Ireland; and (ii) the amount of money allocated to monitoring such facilities, in each of the past three years. (AQW 580/08)

Ms Gildernew: I have detailed in the table below (i) the numbers of hours committed to, and (ii) the amount of money allocated to, monitoring on-farm incinerators in the past three years.

A greater amount of money was allocated in 2007 because the number of inspection visits was increased and the work was transferred to field Veterinary Officers who are able to bring their local knowledge of the disease situation to bear when carrying out inspections.

	2005	2006	2007 to date
(i) Number of hours	222	266	300
(ii) Amount of money*	£5,147	£6,469	£12,148

* Cost of staff time

Animal Incinerators

Mrs I Robinson asked the Minister of Agriculture and Rural Development to provide a breakdown of the number of animal incinerators which are currently operating on farms across Northern Ireland by (a) constituency; and (b) district council area. (AQW 582/08)

Ms Gildernew: I have provided in the attached tables the number of on-farm animal carcase incinerators currently approved under the Animal By-Products Regulations (NI) 2003 by (a) constituency and by (b) District Council area.

NUMBER OF APPROVED ON-FARM INCINERATORS IN NORTHERN IRELAND BY DISTRICT COUNCIL AREA

District council area	Number of on-farm incinerators
Antrim Borough Council	2
Ards Borough Council	2
Armagh City and District Council	12
Ballymena Borough Council	1
Ballymoney Borough Council	5
Banbridge District Council	1
Belfast City Council	0

District council area	Number of on-farm incinerators
Carrickfergus Borough Council	0
Castlereagh Borough Council	0
Coleraine Borough Council	2
Cookstown District Council	7
Craigavon Borough Council	0
Derry City Council	0
Down District Council	0
Dungannon and South Tyrone Borough Council	18
Fermanagh District Council	6
Larne Borough Council	1
Limavady Borough Council	1
Lisburn City Council	1
Magherafelt District Council	3
Moyle District Council	3
Newry and Mourne District Council	3
Newtownabbey Borough Council	0
North Down Borough Council	0
Omagh District Council	10
Strabane District Council	3

NUMBER OF APPROVED ON-FARM INCINERATORS IN NORTHERN IRELAND BY CONSTITUENCY

Constituency	Number of on-farm incinerators
Belfast East	0
Belfast North	0
Belfast South	0
Belfast West	0
East Antrim	0
North Antrim	10
South Antrim	2
North Down	0
South Down	4
Fermanagh and South Tyrone	24
Foyle	0
Lagan Valley	1
East Londonderry	3
Mid Ulster	10
Newry and Armagh	12
Strangford	2

Constituency	Number of on-farm incinerators
West Tyrone	13
Upper Bann	0

Kilkeel Harbour

Mr W Clarke asked the Minister of Agriculture and Rural Development to detail what progress has been made in relation to the funding of improvements to Kilkeel harbour. (AQW 586/08)

Ms Gildernew: My Department is currently undertaking a number of initiatives aimed at improving Kilkeel harbour. We are currently funding the technical studies recommended in the Wallingford Report which will assess the feasibility of a new breakwater to resolve the safety issues for vessels entering Kilkeel harbour. Progress is on target for completion by May 2008. A decision on the construction of a breakwater will be made following the completion of these studies.

Since 2002, approximately £12.2 million of funding has been committed for the improvement of facilities at Kilkeel Harbour. The Northern Ireland Fishery Harbour Authority has recently finalised the tendering process for further improvement works. These will include remedial work to the inner and outer quay walls and construction of a new vessel berthing facility. Award of the contract is imminent and the combined projects are due to be completed by November 2008.

Foot-and-Mouth Disease

Mr Bresland asked the Minister of Agriculture and Rural Development to outline her department's policy in the event of a Foot-and-Mouth Disease outbreak in the Republic of Ireland. (AQW 606/08)

Ms Gildernew: As I said in my Statement to the Assembly on 1 October, my Department will not be found wanting in relation to any necessary steps necessary to maintain our Foot and Mouth Disease free status and protect our local industry. I, together with my officials, are working closely with the South to co-ordinate our actions to protect the whole island from Foot and Mouth Disease.

My policy, in the event of a Foot and Mouth Disease outbreak in the South, but not in the North would very much depend on the circumstances of the outbreak in question, including the exact location and the scale of the incident. I would want to take account of our veterinary risk assessment at the time. Nothing would be decided without close liaison with our colleagues in Dublin. Obviously we would also be bound by the EU rules in dealing with any outbreak of Foot and Mouth Disease.

Alpha-Nortesterone

Mr P J Bradley asked the Minister of Agriculture and Rural Development to provide an update on the investigation into the alpha-nortesterone problems of 2006; and to indicate when political representatives, who were involved with the issue in 2006 and since, will be interviewed as part of this investigation.

(AQW 634/08)

Ms Gildernew: I commissioned Joan Ruddock, an independent member of the DARD Board, to carry out a review of DARD's handling of the alpha-nortestosterone issue. To ensure that the review was completely independent, the individuals interviewed during the course of the investigation were chosen entirely by Mrs Ruddock. I understand that the report on the review is almost complete and that no further interviews will be taking place.

Bluetongue Disease

Mr Shannon asked the Minister of Agriculture and Rural Development what steps she is taking to initiate a full review of her department's regulation in relation to bluetongue disease.

(AQW 658/08)

Ms Gildernew: The control of Bluetongue is based on an EU legal framework. Our statutory powers for the control of Bluetongue are contained in the Blue Tongue Order (Northern Ireland) 2003, which implements Council Directive 2000/75/EC laying down specific provisions for the control and eradication of Bluetongue.

As part of our contingency planning to deal with the threat of this disease, my Department is currently reviewing the existing legislation to ensure it is up-to-date and consistent with the EU Bluetongue Directive.

On the basis of the new experience that has been gained on Bluetongue disease control following the outbreaks in Northern Europe in 2006 and 2007, on 3 October 2007 the EU Commission adopted a new Commission Regulation on Bluetongue which will apply from 15 November 2007. This Regulation lays down additional measures on the control, monitoring, surveillance and restrictions of movements of susceptible animals in relation to Bluetongue.

My Department is currently assessing the implications of this new Regulation and is seeking legal advice on what legislative changes if any will be needed to implement the Regulation here.

Comprehensive Spending Review

Mrs I Robinson asked the Minister of Agriculture and Rural Development to detail the amount of money

her department is seeking from the Comprehensive Spending Review, in order to meet the costs associated with adherence to the Stockholm Convention.

(AQW 700/08)

Ms Gildernew: The Department of Agriculture and Rural Development did not seek any monies in the Comprehensive Spending Review in order to meet the costs associated with adherence to the Stockholm Convention.

Lamb Promotion

Mrs I Robinson asked the Minister of Agriculture and Rural Development what steps she is taking to promote Northern Ireland lamb to markets outside the United Kingdom.

(AQW 745/08)

Ms Gildernew: I am committed to supporting local produce and can advise that my Department is actively involved in work to assist our sheep industry. In 2006 the Department and industry stakeholders formed a Red Meat Task Force to develop a long term strategy for the local beef and sheepmeat industries. The Task Force have recently completed a report which was published on 3 October. While the Report has outlined serious challenges for this important sector, it has also identified models of production that could provide an economic return to farmers. My Department will help those farmers who wish to pursue alternative production models.

Lamb will be included in LMC's programme of activities at Anuga, the international food and drink exhibition which will take place in Cologne this month, attracting international traders. LMC also facilitate trade missions, carry out lamb promotion activities in Europe and provide pricing and marketing information to help the industry secure the best markets for their products.

Deliberate Introduction of Tuberculosis or Brucellosis to Livestock

Mr McNarry asked the Minister of Agriculture and Rural Development to detail the number of adjudicated cases over the past three years which involved the proven deliberate introduction of tuberculosis or brucellosis to livestock; and to detail how this compares to incidences of the same offence in (a) the rest of the United Kingdom; and (b) the Republic of Ireland.

(AQO 307/08)

Ms Gildernew: My Department and I have zero tolerance to fraud but none of the adjudicated cases over the past three years relate to the deliberate infection of livestock with tuberculosis or brucellosis. DARD does however investigate and, where sufficient evidence exists, prosecute herdkeepers that have breached

statutory regulations and in doing so have prejudiced the control of disease. The Department will withhold compensation in such cases until investigations are concluded and will then adjudicate on whether or to what extent compensation can be released.

It should be recognised that the vast majority of farmers work hard over many years to build up and improve the health and quality of their herds and would not compromise those efforts by deliberately introducing infection.

Comparable figures are not available for the South or for Britain.

Rural Development Programme 2007-2013

Mr Brolly asked the Minister of Agriculture and Rural Development to give her assessment of the formation and funding of 'council clusters', given the decision that there should be increased district council involvement in the delivery of the Rural Development Programme 2007-2013. (AQO 347/08)

Ms Gildernew: Following extensive consultations and lengthy deliberations I have made the decision to give Local Councils a more central and strategic role in delivering measures within the 2007 - 2013 Rural Development Programme. The increased council involvement take the form of Council Clusters and will bring economies of scale, complementarity of strategies, and improved corporate governance and financial arrangements. This will rationalise the number of rural development delivery partnerships and maximise the impact of the Programme for local communities.

The new delivery model will however retain the Leader Methodology of "bottom up" working at its core. Self defining Council Clusters will work in partnership with new Local Action Groups (LAGs) to deliver the 'Quality of Life and Farm Family Option Measures' of the 2007- 2013 Northern Ireland Rural Development Programme on a sub-regional basis. Each Council cluster of at least 3 councils will, through a competitive process establish a Local Action Group (LAG) to deliver the measures in the area. Animation funding will be available to enable Council clusters to undertake animation action within their area for the purpose of establishing LAGs and drawing up strategies.

The Council Clusters will have a primary responsibility for accounting and financial governance arrangements for the Axis 1 and Axis 3 budgets allocated to the cluster area. The Local Action Groups will be required to play a full part in implementation of the measures and in particular will be responsible for developing a strategy that meets the needs of the area, and for assessing applications for Grant aid under the measures.

In excess of £100m will be invested in Rural Areas through the 'Quality of Life and Farm Family Option Measures' and I place great importance on the development of a strong partnership between each Council Cluster and the Local Action Group.

Common Agricultural Policy

Mr Kennedy asked the Minister of Agriculture and Rural Development to detail the preparations her department has made for a Northern Ireland contribution to the European Union's mid-term review of the Common Agricultural Policy. (AQO 375/08)

Ms Gildernew: The forthcoming Common Agricultural Policy 'Health Check' will be important for Northern Ireland agriculture. While it will not be a radical reform of the CAP, there will be proposals for changes to milk quotas, modulation and the single farm payment scheme that will have significant consequences for our agricultural sector. Consequently, my Department has been very active in preparing for the 'Health Check'.

In order to inform our position, we have commissioned research on the possible impact on the local agricultural industry of the abolition of milk quotas and increased compulsory modulation, both of which are likely to feature in the Health Check proposals. The research was conducted by Queen's University Belfast and the Agri-Food Biosciences Institute in conjunction with the Food, Agricultural and Policy Research Institute, University of Missouri. A report of the findings from this research was published in February 2007.

In conjunction with the agriculture departments in England Scotland and Wales, we are also contributing to ongoing research on the impact at local, UK and EU levels of the abolition of milk quotas.

My officials have taken part in numerous meetings with their counterparts across the UK in order to influence the Commission's thinking before it publishes its preliminary proposals later this year. The Health Check was also discussed at a meeting of UK Agriculture Ministers, which I attended on 19 June, and I will be discussing CAP issues in the forthcoming North South Ministerial Council meeting.

When the Health Check proposals are published, my Department will be conducting a full public consultation with stakeholders in order to establish our position with respect to the upcoming EU negotiations on the issue.

Renewable Energy

Mr Neeson asked the Minister of Agriculture and Rural Development what discussions she has had with

the Minister of Enterprise, Trade and Investment to co-ordinate their approach on the development of renewable energy. (AQO 383/08)

Ms Gildernew: My colleague, the Minister for the Department of Enterprise, Trade and Investment, and I share a common approach to this subject.

We see renewable energy as an important policy to secure future environmental and economic gain.

There are numerous and ongoing contacts between DARD and DETI at official level to ensure a co-ordinated approach to the development of renewable energy across these departments.

Should a joint-Ministerial meeting be required, then I shall be pleased to facilitate this.

Bovine Tuberculosis and Brucellosis

Mr Molloy asked the Minister of Agriculture and Rural Development what action she is taking to tackle bovine tuberculosis and brucellosis; and to outline what impact this action has had. (AQO 348/08)

Ms Gildernew: The TB programme is based on the detection of diseased or high risk animals, the compulsory removal of these animals from their herd of origin to slaughter, and the restriction of movements of cattle from infected herds until they are tested clear. Generally individual animals test positive and are removed rather than the whole herd.

Since 2002, there has been clear evidence of a significant decline in the incidence of TB. The herd incidence peaked in 2002 at 9.93% and has now dropped to 5.61% for the first half of this year. The herd incidence is currently at a similar rate in the North and South

The brucellosis control programme is based on the detection of diseased or high risk animals, compulsory removal of these animals for slaughter, removal of all in-contact animals in other words, group or whole herd depopulation, and immediate restriction of all movements from or to infected herds until they are depopulated or tested clear. Generally whole herds are depopulated when infected animals are detected.

Over the last few years, there has been clear evidence of significant decline in the incidence of BR from its peak at the start of 2002 when the herd incidence reached 1.43%. Overall, the trend remained downwards until 2006-07 when specific localised disease clusters halted the decline. This recent rise peaked in October 2006 at 0.6% but has since levelled off. The current herd incidence is now 0.48% and animal incidence is 0.034%.

Agri-Food Matters

Mr McElduff asked the Minister of Agriculture and Rural Development what progress has been made in promoting increased co-operation in regard to agri-food matters, on an all-island basis. (AQO 353/08)

Ms Gildernew: Under the auspices of the North South Ministerial Council arrangements important steps are being taken which will benefit the agri-food industry throughout the Island of Ireland. These relate to issues concerning animal health and plant health. It is vital to lay a sound foundation for future initiatives. In view of this the development of the All-Island Animal Health and Welfare Strategy, including the free movement of animals within the island of Ireland, is amongst my key priorities. We will continue to work closely with our colleagues in the South given the interest we share in preventing the introduction of serious animal and plant diseases to the island.

I believe it is in the best interests of the North's agri-food industry to determine how best to position its products in the markets they serve and I will continue to support industry in this respect in order to achieve the best returns possible. Ultimately, however, promotional activities will be determined by the marketplace. The North is in a unique position in that its products are sold in a wide range of markets. Promotional activities must therefore be tailored for specific markets in a manner that optimises the benefit of the North's multiple identity.

An International Image Group consisting of experienced representatives from export businesses in the North was established by my Department and DETI to oversee research into the image of the North's food and drink in international markets. The research found that the North may be best served by being marketed as part of the island of Ireland in international markets. However, to gain optimum advantage of its unique position, the Image Group felt that the North's agri-food industry should utilise all options at its disposal, and, depending on the market and customer, market itself as North of Ireland, island of Ireland or UK.

In supporting the local agri-food industry, my Department works closely with Invest NI, which has a Memorandum of Understanding with Bord Bia. A strategic alliance now exists to promote Ireland's food industry overseas. Ongoing and planned joint work includes joint promotion of regional foods, participation in local food festivals, food and tourism initiatives, shared costs at international trade shows, meet the buyer events and collaborative market research.

Rural Diversification

Mr McCausland asked the Minister of Agriculture and Rural Development what plans she has to support the development of Ulster-Scots projects in rural areas, as a means of rural diversification. (AQO 361/08)

Ms Gildernew: None. However a key theme within the 2007 – 2013 Northern Ireland Rural Development Programme is ‘improving the quality of life in rural areas and encouraging diversification of economic activity’. I would encourage both individuals and organisations with projects suitable and eligible for funding under the ‘quality of life’ measures to take these forward with their Local Action Group when it is in place.

Rural Development Programme 2007-2013

Mr Bresland asked the Minister of Agriculture and Rural Development to detail the proposed timetable for the delivery of the Rural Development Programme; and what mechanism will be put in place to ensure that farming families can avail of future funding from this programme. (AQO 304/08)

Ms Gildernew: Legislation will be required for some of the Axis I (competitiveness) measures and I intend to present these to the Agriculture Committee as soon as possible. Delivery structures are being agreed with stakeholders, where appropriate, and I would aim to have measures opened as soon as possible. It is intended that one of the 4 measures (Adding Value to Agriculture and Forestry Products Improving Marketing Capability) will open late in 2007, with the remainder opening as early as possible in 2008 once all tendering and administrative structures have been agreed.

The development of the Northern Ireland Countryside Management Scheme (NICMS), an integral part of the new programme is ongoing. The estimated opening date of the NICMS will be in late spring/early summer 2008.

As no national legislation was required for the First Afforestation and Forest Environments schemes, they have been carried forward in a similar format from the previous programme.

I have invited local councils to form self-defined Clusters for delivery of the Axis 3 ‘Diversification and Quality of Life and Farm Family Options Measures’ of the new Northern Ireland Rural Development Programme. Following a competitive process, each Cluster will appoint a Local Action Group to bring forward and implement a local development strategy. I anticipate that Local Action Groups will be in place by the Spring of 2008.

In the Programme there are Measures across the three Axis, that are specific to farmers and farm families and also more general Measures that are also open to the farmer and farm family.

Fishing Rights

Mr Shannon asked the Minister of Agriculture and Rural Development to outline her strategy for securing greater fishing rights for local fishermen in the Irish Sea. (AQO 322/08)

Ms Gildernew: I am committed to ensuring that fishing opportunities for local fishermen are improved and maximised. A key part of that is to make sure there is robust scientific evidence to underpin fish stock assessments. Scientific research carried out on Irish Sea stocks is assessed by ICES (International Council for the Exploration of the Seas) which advises the European Commission on annual fishing opportunities. ICES advice is made solely on the basis of scientific evidence and where it believes that there is insufficient data it will take a precautionary approach. It is clear from ICES advice over the last number of years that there are gaps in the knowledge about some stocks that are important to local fishermen, in particular, Cod, Haddock and Herring.

My Department in conjunction with AFBI (Agri-Food and Biosciences Institute) and the industry is constantly looking at ways to improve information to inform decisions about fishing opportunities and fisheries management. There have been some important developments in that area recently, for example the Irish Sea Data Enhancement Pilot project which is gathering data about the extent and reasons for discarding fish and ways to avoid this happening. My Department has also responded to industry calls to extend its survey work of herring in the Irish Sea. This autumn, with the involvement of the local industry, AFBI is collecting data about herring from 4 survey trips (instead of the usual 1).

Improving our knowledge about fish stocks is not something that my Department and its scientific advisors can do alone. It is important that fishermen’s knowledge is factored into our work and also that our scientists get the fullest co-operation from fishermen to allow them to gather data about the size and age of fish from samples of landings and to accommodate them as on-board observers to collect total catch information.

Information Technology in Farming

Mr O’Dowd asked the Minister of Agriculture and Rural Development what action she is taking to move

towards the use of information technology in farming, including the electronic tagging of livestock.
(AQO 351/08)

Ms Gildernew: I am keen that farmers benefit fully from information and communication technology (ICT) in their businesses. Through the Increasing Access to ICT scheme, 988 farmers are currently using and evaluating innovative technologies for their business. Another scheme, the ICT Grant Scheme, has encouraged food processors to use ICT technology to communicate business information to their farmer suppliers. This scheme is on target to have 1750 farmers benefiting by April 2008.

The College of Agriculture, Food and Rural Enterprise (CAFRE) has delivered training to over 900 farmers in the past two years, developing their confidence and competence to use ICT for their business. Students on Further and Higher Education programmes at CAFRE, in preparation for a career in farming, have the opportunity to develop their ICT skills and to use specialist enterprise and business management software packages.

My Department has also developed a wide range of online services to reduce the administrative burden for farmers and growers and give them the tools to improve business performance. APHIS Online, the Animal and Public Health Information System, was the first real time transactional service offered by any NI Department and currently has 7,300 registered users. More than 1,200 farmers benefit from the use of CAFRE Online Benchmarking services, helping to identify opportunities to improve their business performance. Work is continuing to improve the infrastructure and expand the range of services offered.

DARD is working with industry and colleagues from the South and GB to ensure the benefits of Electronic Identification (EID) are fully exploited. DARD has completed a successful pilot to explore the potential of EID and, more particularly, Electronic Data Transfer in abattoirs to show how this technology can improve the flow of information to meet regulatory requirements and satisfy the needs of consumers for traceability in the supply chain. CAFRE is demonstrating the use of this technology on its own and partner farms. Expertise and facilities are available to provide farmers with sound, practical advice on implementing EID. My officials are also playing an active role in a recently established industry group being led by the Livestock and Meat Commission looking at implementing electronic identification in cattle.

Agricultural Wages Board

Mr Elliott asked the Minister of Agriculture and Rural Development, in light of the recommendation of

the Ulster Farmers' Union, what steps she will take to abolish the Agricultural Wages Board. (AQO 355/08)

Ms Gildernew: I have considered the case made by the Ulster Farmers' Union for the abolition of the Agricultural Wages Board and subsequently met with representatives of the Amalgamated Transport and General Workers' Union and the Chairman of the Agricultural Wages Board to discuss the issue. In the absence of an alternative mechanism to protect the rights of agricultural employees I have decided not to abolish the Agricultural Wages Board.

To abolish the Agriculture Wages Board would place agricultural workers in the North of Ireland at a financial disadvantage when compared with agricultural workers in Britain. This is particularly important in the context of ensuring the rights and privileges of migrant workers and minority communities here are protected.

Irish Fish Stocks

Mr W Clarke asked the Minister of Agriculture and Rural Development what is her assessment of scientific research into the levels of Irish fish stocks; and what meetings she is planning to have on this matter, during the December meeting of the European Council in Brussels. (AQO 350/08)

Ms Gildernew: The 2007 scientific advice for the main fish stocks in the Irish Sea will not be published until 12 October. However our scientists believe that the advice coming from the International Council for the Exploration of the Seas will be little changed from last year.

On that basis I expect that a rollover in the Total Allowable Catch (TAC) for Area 7 prawns and Irish Sea plaice will be recommended. I expect that the outlook will still be poor for cod and whiting whilst the recommendations for the Irish Sea haddock TAC will be affected by concerns that increasing its TAC may result in a greater by-catch of cod. The scientists have already advised that there should be a small reduction in the Irish Sea herring TAC.

Fishing opportunities will also be affected by changes to the effort control regime and I will fight hard to ensure that our fleet has sufficient fishing days to enable it to catch the available quotas.

As soon as this year's scientific advice is published I will meet with industry representatives to discuss the implications of the advice and the best way to present our case in Brussels to protect our industry's interests. I will also have further meetings with the English and Scottish fisheries Ministers in order to secure our priorities within the overall negotiating position and at

the Council. Whilst at the Council I will press our case vigorously and keep the industry informed of progress.

Bluetongue Disease

Mr Ford asked the Minister of Agriculture and Rural Development what action she is taking to keep bluetongue disease out of Northern Ireland.

(AQO 395/08)

Ms Gildernew: I will continue to do everything possible to try to prevent Bluetongue from spreading here.

As I said in my Statement to the Assembly of 1 October, we have a range of preventive measures in place to minimise the risk of Bluetongue reaching the North.

In light of the heightened risk from Northern Europe, since August 2006 all imports of susceptible animals from Bluetongue restricted areas in EU Member States have been banned. Animals and their vehicles that travel across the restricted areas are sprayed with insecticide. We carry out post import testing of imported cattle and sheep from Europe. These animals are restricted and isolated pending negative test results. All test results to date have proven negative. We have also advised potential importers to request that animals are pre-import tested as an additional precaution.

Due to the Foot and Mouth Disease preventive measures that I reintroduced here on 12 September, our ports remain closed to the import of live animals from Britain, which gives us dual protection for Bluetongue too.

My officials have traced and examined all consignments of cattle, sheep, goats and pigs imported directly from Britain since the beginning of July in response to the FMD outbreaks in Britain. All examinations were negative for signs that could be attributed to either Foot and Mouth Disease or Bluetongue, which has given me some reassurance that Bluetongue has not spread to the North.

Over the past six months, my Department has been working in partnership with key stakeholders here, through the bluetongue working group, on preparedness to deal with the threat of this disease and will continue to do so.

In May, my Department in conjunction with our key stakeholders issued advice to the industry about Bluetongue including information about clinical signs. This leaflet is available on the DARD website, along with other comprehensive information on Bluetongue.

Bluetongue Disease

Mr Irwin asked the Minister of Agriculture and Rural Development if she will make a statement on the threat posed to Northern Ireland by bluetongue disease.
(AQO 326/08)

Ms Gildernew: I will continue to do everything possible to try to prevent Bluetongue from spreading here.

As I said in my Statement to the Assembly of 1 October, we have a range of preventive measures in place to minimise the risk of Bluetongue reaching the North.

In light of the heightened risk from Northern Europe, since August 2006 all imports of susceptible animals from Bluetongue restricted areas in EU Member States have been banned. Animals and their vehicles that travel across the restricted areas are sprayed with insecticide. We carry out post import testing of imported cattle and sheep from Europe. These animals are restricted and isolated pending negative test results. All test results to date have proven negative. We have also advised potential importers to request that animals are pre-import tested as an additional precaution.

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Over the past six months, my Department has been working in partnership with key stakeholders here, through the bluetongue working group, on preparedness to deal with the threat of this disease and will continue to do so.

In May, my Department in conjunction with our key stakeholders issued advice to the industry about Bluetongue including information about clinical signs. This leaflet is available on the DARD website, along with other comprehensive information on Bluetongue.

CULTURE, ARTS AND LEISURE

Irish Language Act

Mr Storey asked the Minister of Culture, Arts and Leisure to give a timescale within which he expects to make an announcement regarding the Irish Language Act. (AQW 338/08)

The Minister of Culture, Arts and Leisure (Mr Poots): As indicated during the Assembly's oral questions session on Monday 10th September, it is my intention to make a statement on the proposed Irish Language Act to the Assembly in the early Autumn.

Motorcycle Road Racing

Mr Shannon asked the Minister of Culture, Arts and Leisure to detail the amount of financial assistance his department has given to motorcycle road racing, in each of the last five years. (AQW 447/08)

Mr Poots: I apologise for the delay in replying to the member.

Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of financial assistance to sports organisations. SNI has provided the following funding to motorcycle road racing in each of the last 5 financial years: -

2003/04	2004/05	2005/06	2006/07	Total
£13,000	£12,000	£18,500	£7,420	£50,920

Motorcycle Racing on Circuits

Mr Shannon asked the Minister of Culture, Arts and Leisure to detail the amount of financial assistance his department has given to motorcycle racing on circuits, in each of the last five years. (AQW 448/08)

Mr Poots: I apologise for the delay in replying to the member.

Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of financial assistance to sports organisations. SNI has provided the following funding to motorcycle racing on circuits in each of the last 5 financial years: -

2003/04	2004/05	2005/06	2006/07	Total
£11,000	£14,000	£18,500	£2,000	£45,500

Equestrian Sports Events

Mr McNarry asked the Minister of Culture, Arts and Leisure what consideration he has given to the inclusion of an international competition area, for promoting equestrian sports events, in the proposal for a multi-sports stadium at the proposed Maze development site; and if he will meet with the Royal Ulster Agricultural Society to discuss this issue. (AQW 457/08)

Mr Poots: Proposals for the development of a Multi-Sports Stadium at the Maze/Long Kesh site have been focusing exclusively on the future facility requirements of the three major ball sports in Northern Ireland – Soccer, Rugby and Gaelic Games.

Responsibility for the development of equestrian sports in Northern Ireland rests with the governing body, the Northern Ireland Equestrian Sports Committee. I would be happy to meet with the Royal Ulster Agricultural Society to discuss their proposals for an international competition area for equestrian sports, provided they have the endorsement of the Northern Ireland Equestrian Sports Committee.

World Pipe Band Championships

Mr Storey asked the Minister of Culture, Arts and Leisure, pursuant to his answer to AQW 206/08, to detail the progress that has been made within the Northern Ireland Events Company, the Ulster-Scots Agency and the Arts Council of Northern Ireland, regarding opportunities for hosting the World Pipe Band Championships in Northern Ireland. (AQW 508/08)

Mr Poots: Officials from my department will be meeting with representatives of the Northern Ireland Events Company, Arts Council of Northern Ireland and Ulster-Scots Agency on 8 October 2007.

The Northern Ireland Events Company has researched the size and scope of the event which will help to determine the way forward.

Derelict Library in Cullybackey

Mr McKay asked the Minister of Culture, Arts and Leisure what action he will take to demolish the derelict library in Cullybackey, in light of the anti-social behaviour taking place at this site. (AQW 605/08)

Mr Poots: Responsibility for the former Cullybackey library building rests with the North Eastern Education and Library Board (NEELB). Following the closure of the library, the NEELB is required to trawl the surplus property within the Public Sector, in accordance with the relevant guidance. Some interest has been expressed and NEELB is currently awaiting a decision from the

Land and Property Agency as to when the sale of the building can be completed. The Board therefore has no current plans to demolish the building, however it has been secured.

National Stadium

Mr McNarry asked the Minister of Culture, Arts and Leisure what is his assessment of whether or not the cost of building a different design to that of the original, for the National Stadium at the Maze, will be met; and whether or not this will provide value for money. (AQO 317/08)

Mr Poots: The work currently ongoing on proposals for a Multi-Sports Stadium – including stadium design, business planning and the development of an outline business case – is intended to help me reach a conclusion on value for money and affordability issues. I expect to be in a position to make an assessment on these issues when that work is completed. As part of this process, DCAL is continuing to work with the 3 sports bodies on developing a suitable design for the Stadium. The Department has no plans to develop any alternative design that does not have the involvement and agreement of the 3 sports.

Work on the development of a suitable design, business plan and outline business case for the Multi-Sports Stadium is well advanced. This work is expected to be completed shortly and I hope to be in a position to make a recommendation to the Executive by the end of this year with a view to making an announcement on the way forward early in the new year.

Gaeltacht Quarter in West Belfast

Mr McCausland asked the Minister of Culture, Arts and Leisure to provide an update on the development of the Gaeltacht Quarter in West Belfast. (AQO 363/08)

Mr Poots: An Ceathrú Gaeltachta Teo – the Gaeltacht Quarter Development Company (Ltd) - became fully operational in July 2007 and the company currently employs two members of staff. The company is funded through the Integrated Development Fund with the funding being administered by my Department. The conditions of funding state that an early task for the company should be the production of a business and marketing plan for the Gaeltacht Quarter, along with an associated baseline study. I am aware that work is already underway on drawing up terms of reference for such plans and I understand that they are scheduled to be completed in the New Year.

Community Festivals Fund

Mr Moutray asked the Minister of Culture, Arts and Leisure to outline his plans for the funding of public events through the Community Festivals Fund, over the next three years. (AQO 313/08)

Mr Poots: I have initiated a review of the Community Festivals Fund. The Northern Ireland Events Company, which currently administers the Fund on the Department's behalf, commissioned an independent evaluation of the Fund and I will be taking account of this as I determine the way forward.

Public Angling Estate

Mr Armstrong asked the Minister of Culture, Arts and Leisure to detail the progress that has been made in developing the public angling estate; and the amount of investment his department has given to this process to date. (AQO 382/08)

Mr Poots: Considerable progress has been made since 1999 when the Department took over responsibility for the Estate. Six new fisheries have been added including 2 wild salmon and trout fisheries and 4 coarse fisheries. A new website has been developed which provides details of the Estate's 64 fisheries, licence and permit details, educational information and links with travel and accommodation providers. The website also has on line permit and day ticket purchase facilities. A boat hire facility for anglers is now available at Castlewellan Lake. Considerable infrastructure development has taken place including the provision of 10 car parks, 3 slipways have been built and 117 new fishing stands have been constructed. 5.5 kilometres of new tarmaced roads and paths have been provided to facilitate access. Movannagher Fish Farm which supplies trout for stocking into put and take fisheries has been improved and fish production has been increased by 20%.

The total investment of capital and running cost expenditure from 1999 to 31 March 2007 amounts to £2,620,472. This does not include staff costs. Details of the annual expenditure for the period 2000 to 2005 are contained in the Department's Salmon and Inland Fisheries Annual Reports which are in the Assembly Library. The 2006 Report will be laid in the Assembly shortly.

Ulster-Scots Curriculum Development

Mr McCarthy asked the Minister of Culture, Arts and Leisure to give an update on the cost and value for money of the Ulster-Scots Curriculum Development

project at Stranmillis, which is funded by his department. (AQO 388/08)

Mr Poots: The Stranmillis Curriculum Development Unit has received to date £1,512,433 in funding the period 2002 to 2007. The projects carried out by the Unit were commissioned and funded by the Ulster-Scots Agency. The Agency ceased to continue funding from 31 August 2007. Funding for two posts is now being provided by the Ulster Scots Academy Implementation Group. The Education and Training Inspectorate (ETI) conducted an Inspection of the Unit in 2006 and concluded that the quality of the work is good and fulfils the terms of its remit well.

National Stadium

Mr Storey asked the Minister of Culture, Arts and Leisure to outline his timetable of actions before he will be in a position to make an announcement on plans for a new National Sports Stadium. (AQO 314/08)

Mr Poots: The work currently ongoing on proposals for a Multi-Sports Stadium – including stadium design, business planning and the development of an outline business case – is intended to help me reach a conclusion on value for money and affordability issues. I expect to be in a position to make an assessment on these issues when that work is completed. As part of this process, DCAL is continuing to work with the 3 sports bodies on developing a suitable design for the Stadium. The Department has no plans to develop any alternative design that does not have the involvement and agreement of the 3 sports.

Work on the development of a suitable design, business plan and outline business case for the Multi-Sports Stadium is well advanced. This work is expected to be completed shortly and I hope to be in a position to make a recommendation to the Executive by the end of this year with a view to making an announcement on the way forward early in the new year.

Ulster-Scots and Irish Gaelic Spending

Mr Burnside asked the Minister of Culture, Arts and Leisure to outline his plans and spending bids for both the Ulster-Scots and Irish Gaelic cultural traditions, over the next 5 years. (AQO 333/08)

Mr Poots: Spending plans are only agreed over a three year period.

Any plans or bids concerning future spending will be agreed as part of the 2007 Comprehensive Spending Review for the period 2008/09 – 2010/11. The outcome of the review will determine the levels and amounts of funding to be made available for Ulster-Scots and Irish Cultural projects and events.

Belfast Mela

Mr K Robinson asked the Minister of Culture, Arts and Leisure to detail the level of support given by his department to the organisers of the Belfast Mela 2007; and whether or not his officials will further engage with the organisers, to ensure that this gathering continues as a successful annual event. (AQO 381/08)

Mr Poots: ArtsEkta received £5000 funding for the Belfast Mela 2007 from the Community Festival Fund which is administered on DCAL's behalf by the Northern Ireland Events Company. DCAL does not fund arts organizations directly. ArtsEkta should liaise with officials from the Arts Council and the Northern Ireland Events Company in relation to future funding.

North-South Ministerial Council Sectoral Meetings

Mr Brolly asked the Minister of Culture, Arts and Leisure to outline his priorities for the forthcoming North-South Ministerial Council sectoral meetings, in regard to Waterways Ireland and The Language Body. (AQO 354/08)

Mr Poots: My priorities for the Waterways Ireland and North South Language Body Sectoral meetings are to review the progress that has been made to date and to consider both organizations' plans for the future.

Following the Sectoral meetings on the 17th and 26th October 2007 joint communiqués will be issued to the press and published on the North South Ministerial Council website outlining the topics discussed.

Cost of Translations

Dr Farry asked the Minister of Culture, Arts and Leisure to detail the guidance his department has given to other Government departments, with regard to ensuring that value for money is received for all translations from English into other languages. (AQO 393/08)

Mr Poots: My Department is responsible for the Northern Ireland Civil Service (NICS) Irish Language Translation Service. The current panel of translators was selected in 2004 in accordance with Government's Central Procurement Division guidance, which includes a value for money criteria. An agreement was reached between all departments in 2003 that this service must be used in respect of all Irish language translations. As part of the arrangement a Quality Assurance procedure was established.

Sign Language

Mr Hamilton asked the Minister of Culture, Arts and Leisure what steps he will take to promote sign language in Northern Ireland. (AQO 321/08)

Mr Poots: My Department continues to work in partnership with organisations representing the Deaf community to promote sign languages and to educate and inform the wider community. My Department additionally chairs a Sign Language Partnership Group bringing together representatives from Government Departments and the Deaf community to consider ways to improve access to public services for users of sign languages. I have made a bid for additional funding in the Comprehensive Spending Review. I have also been liaising with the Minister for the Department for Employment and Learning in relation to the provision of more training to increase the supply of sign language tutors and interpreters.

EDUCATION

Staff Team Building

Mr Moutray asked the Minister of Education to detail the total cost of (i) staff away days; and (ii) staff team building exercises carried out by her department, in each of the last three years. (AQW 335/08)

The Minister of Education (Ms Ruane): The total cost of staff away days and staff team building days, in the last three financial years is as follows:

Year	Away Days/ Team Building Days	Cost
2004/05	√	£33, 346.16
2005/06	√	£29, 996.00
2006/07	√	£42, 124.11
Total Cost		£105, 466.27

The above are all costs associated with staff away days/team building days. These include costs for the Education and Training Inspectorate (ETI) which provides inspection services for the Department of Education (DE), the Department of Culture, Arts and Leisure (DCAL) and the Department for Employment and Learning (DEL).

Away days in the main are used for Business Planning. As an Investor in People there is a requirement to involve people when developing the organisation's business plan and when agreeing team and individual objectives. It is not possible to show separately the costs for away days (business planning) and team building exercises. In the Department of Education,

however, teambuilding days are generally arranged through Employer Supported Volunteering with Voluntary Service Bureau at nil cost.

Curriculum Reserve Support

Mr Storey asked the Minister of Education to detail the amount of Curriculum Reserve Support monies paid out to schools in the (i) controlled; (ii) maintained; (iii) integrated; and (iv) Irish language sectors, in order to improve their financial bottom line, in each of the last five years. (AQW 336/08)

Ms Ruane: Moneys from the Curriculum Reserve Support Fund are not issued in order to improve schools' financial positions but rather to provide for additional teaching/curriculum support in set circumstances. I understand from the Chief Executives of the five Education and Library Boards that the amount of Curriculum Reserve Support Monies paid to schools in each of the last five years is as follows:

Schools	2002/03 £000s	2003/04 £000s	2004/05 £000s	2005/06 £000s	2006/07 £000s
Controlled	1,152	1,124	979	917	474
Maintained	1,146	1,099	1,194	1,035	600
Controlled Integrated	24	8	15	11	0
Irish Medium	0	0	0	15	30

Chinese Language School

Mr Spratt asked the Minister of Education to detail the amount of funding allocated to the Chinese Language School Northern Ireland, for each of the last five years. (AQW 353/08)

Ms Ruane: I have been advised that payment was made to the Chinese Language School for each of the last five years as follows:

Funding Provider	Financial Year	Payment Date	Amount
BELB	2001-02	May-01	£6,000
BELB	2002-03	May-02	£10,000
BELB	2003-04	May-03	£10,000
BELB	2004-05	May-04	£11,000

Report of the Independent Strategic Review of Education

Miss Michelle McIlveen asked the Minister of Education what action she will take regarding the recommendation in the report of the Strategic Review of Education that the methodology used to distribute resources to schools through the Common Funding Formula should be reviewed, in order to ensure that delegations under the formula reflect the costs of the main needs of the school. (AQW 427/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Report of the Independent Strategic Review of Education

Miss McIlveen asked the Minister of Education what action she will take regarding the recommendation in the report of the Strategic Review of Education that the rationale for funding preparatory departments in grammar schools should be reviewed. (AQW 428/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Strategic Review of Education

Miss McIlveen asked the Minister of Education what action she will take regarding the recommendation of the report of the Strategic Review of Education that the policy for sustainable schools in Northern Ireland should ensure that all schools are sustainable, in terms of quality of the educational experience of children; enrolment trends; financial position; school leadership and management; accessibility; and the strength of their links to the community. (AQW 429/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are

being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Strategic Review of Education

Miss McIlveen asked the Minister of Education to detail the criteria that is used to determine whether a school's quality and breadth of education is satisfactory, as referred to in recommendation 7 of the report of the Strategic Review of Education. (AQW 430/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Strategic Review of Education

Miss McIlveen asked the Minister of Education, in light of the recommendation in the report of the Strategic Review of Education that the minimum (not optimal) enrolments for new primary schools, and for Years 8-12 in new post-primary schools should be (i) Primary: 140 pupils in urban areas, and 105 pupils in rural areas; and (ii) Post-primary: 500 pupils, what is her assessment of whether or not the future of an existing school should be reviewed when enrolment falls below the relevant level. (AQW 431/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Report of the Independent Strategic Review of Education

Miss McIlveen asked the Minister of Education what action she is taking in regard to the recommendation in the Report of the Independent Strategic Review of Education that, in addition to a delegated budget, schools should receive financial and other incentives to

share resources and deliver improved provision in collaboration with other schools. (AQW 440/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Report of the Independent Strategic Review of Education

Miss McIlveen asked the Minister of Education what action she is taking in regard to the recommendation in the Report of the Independent Strategic Review of Education to maximise the degree to which schools have control of their own budgets, and what appropriate arrangements for accountability she intends to put in place. (AQW 441/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

Report of the Independent Strategic Review of Education

Miss McIlveen asked the Minister of Education what action she is taking in regard to the recommendation in the Report of the Independent Strategic Review of Education that the budgets delegated to schools should continue to include resources for teachers' salaries and other staff costs. (AQW 442/08)

Ms Ruane: Following the Bain Report, a draft policy document on Sustainable Schools was published for consultation by the direct rule administration on 23 January 2007. The responses to the consultation are being analysed by the Department. I am considering carefully the issues which have been raised and how best to move forward in ensuring that children get a good educational experience in strong viable schools. I intend to set out the position by the end of the year.

School Repairs

Mr Moutray asked the Minister of Education, pursuant to her answer to AQW 69/08, to detail the amount and percentage of expenditure on school repairs in the maintained sector that was spent on Irish-medium schools, in each of the last five years. (AQW 482/08)

Ms Ruane: The information provided by the Education and Library Boards is as follows:

EXPENDITURE ON MAINTENANCE AND REPAIRS IN IRISH-MEDIUM SCHOOLS

	2002/03	2003/04	2004/05	2005/06	2006/07
Amount £000	160	161	115	66	61
% of total maintained sector expenditure	0.8	0.8	1.0	0.8	0.7

Dickson Plan

Mr Moutray asked the Minister of Education, pursuant to her answer to AQO 85/08, to detail the meetings she has had with (i) pupils; (ii) parents; and (iii) teachers to establish their assessment of the Craigavon-based Dickson Plan for education. (AQW 484/08)

Ms Ruane: I have listened to comment on the Dickson Plan during informal discussions I have had with school staff, parents and pupils during many of the 34 visits I have made to all types of school, including one visit to a participating school (St Paul's Junior High School) and two visits to Lismore Comprehensive School which is located within the Dickson Plan area. I am also mindful of any points raised about the system in Ministerial correspondence which I answer personally in every instance, as well as the available research evidence on the subject.

Complaints of Child Sexual Abuse

Mr Simpson asked the Minister of Education, pursuant to her answer to AQW 77/08, to detail the reasons why no central register of complaints of child sexual abuse is maintained by her department; and whether or not she will instruct her department to keep such a register. (AQW 486/08)

Ms Ruane: There are no plans to create a central register of complaints of child sexual abuse. Information about all complaints of child abuse against staff in all employment sectors is available from the investigating agencies.

Schools are required by law to notify the investigating agencies of any allegation of child abuse by staff or others. Failure to report an allegation is an offence.

Schools must keep a record all complaints of child abuse made against staff. This record is presented annually to the Board of Governors and by this means clusters of complaints can be identified.

The employing authority must notify the Department when an individual is dismissed as unsuitable to work with children following disciplinary action. When an individual is convicted of a relevant offence the Department is advised by PSNI. In both cases action is taken to list the person as unsuitable to work with children.

Boards of Governors have a statutory duty to safeguard and promote the welfare of pupils and must ensure that the school complies with any guidance issued by the Department about child protection matters.

The Department has no record of the occasions when it has been contacted by schools about allegations of child abuse. Support and advice to schools on complaints about child abuse, whether sexual or otherwise, was provided directly by the Education and Library Boards' Designated Officers and from April 2006 by the Child Protection Support Service for Schools.

Complaints of Child Sexual Abuse

Mr Simpson asked the Minister of Education, pursuant to her answer to AQW 77/08, to detail the means through which her department keeps track of clusters of allegations of child sexual abuse made against any particular individual, in the absence of a central register. (AQW 487/08)

Ms Ruane: There are no plans to create a central register of complaints of child sexual abuse. Information about all complaints of child abuse against staff in all employment sectors is available from the investigating agencies.

Schools are required by law to notify the investigating agencies of any allegation of child abuse by staff or others. Failure to report an allegation is an offence.

Schools must keep a record all complaints of child abuse made against staff. This record is presented annually to the Board of Governors and by this means clusters of complaints can be identified.

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Boards of Governors have a statutory duty to safeguard and promote the welfare of pupils and must ensure that the school complies with any guidance issued by the Department about child protection matters.

The Department has no record of the occasions when it has been contacted by schools about allegations of child abuse. Support and advice to schools on complaints about child abuse, whether sexual or otherwise, was provided directly by the Education and Library Boards' Designated Officers and from April 2006 by the Child Protection Support Service for Schools.

Complaints of Child Sexual Abuse

Mr Simpson asked the Minister of Education, pursuant to her answer to AQW 77/08, to detail the number of occasions on which each school in Northern Ireland has contacted her department about allegations of child sexual abuse, in each of the last five years. (AQW 488/08)

Ms Ruane: There are no plans to create a central register of complaints of child sexual abuse. Information about all complaints of child abuse against staff in all employment sectors is available from the investigating agencies.

Schools are required by law to notify the investigating agencies of any allegation of child abuse by staff or others. Failure to report an allegation is an offence.

Schools must keep a record all complaints of child abuse made against staff. This record is presented annually to the Board of Governors and by this means clusters of complaints can be identified.

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The Department has no record of the occasions when it has been contacted by schools about allegations of child abuse. Support and advice to schools on complaints about child abuse, whether sexual or otherwise, was provided directly by the Education and Library Boards' Designated Officers and from April 2006 by the Child Protection Support Service for Schools.

Complaints of Child Sexual Abuse

Mr Simpson asked the Minister of Education, pursuant to her answer to AQW 77/08, if she will confirm that any school in receipt of an allegation of child sexual abuse need not inform her department, or any investigating agency of (i) the nature of the allegations; (ii) the details of any disciplinary process; or (iii) any disciplinary punishment imposed upon anyone against whom an allegation has been proven. (AQW 489/08)

Ms Ruane: There are no plans to create a central register of complaints of child sexual abuse. Information about all complaints of child abuse against staff in all employment sectors is available from the investigating agencies.

Schools are required by law to notify the investigating agencies of any allegation of child abuse by staff or others. Failure to report an allegation is an offence.

Schools must keep a record all complaints of child abuse made against staff. This record is presented annually to the Board of Governors and by this means clusters of complaints can be identified.

The employing authority must notify the Department when an individual is dismissed as unsuitable to work with children following disciplinary action. When an individual is convicted of a relevant offence the Department is advised by PSNI. In both cases action is taken to list the person as unsuitable to work with children.

Boards of Governors have a statutory duty to safeguard and promote the welfare of pupils and must ensure that the school complies with any guidance issued by the Department about child protection matters.

The Department has no record of the occasions when it has been contacted by schools about allegations of child abuse. Support and advice to schools on complaints about child abuse, whether sexual or otherwise, was provided directly by the Education and Library Boards' Designated Officers and from April 2006 by the Child Protection Support Service for Schools.

Complaints of Child Sexual Abuse

Mr Simpson asked the Minister of Education, pursuant to her answer to AQW 77/08, to outline the legal obligations placed upon boards of governors in receipt of information passed to them by the school, in relation to allegations of child sexual abuse. (AQW 490/08)

Ms Ruane: There are no plans to create a central register of complaints of child sexual abuse. Information about all complaints of child abuse against staff in all employment sectors is available from the investigating agencies.

Schools are required by law to notify the investigating agencies of any allegation of child abuse by staff or others. Failure to report an allegation is an offence.

Schools must keep a record all complaints of child abuse made against staff. This record is presented annually to the Board of Governors and by this means clusters of complaints can be identified.

The employing authority must notify the Department when an individual is dismissed as unsuitable to work with children following disciplinary action. When an individual is convicted of a relevant offence the Department is advised by PSNI. In both cases action is taken to list the person as unsuitable to work with children.

Boards of Governors have a statutory duty to safeguard and promote the welfare of pupils and must ensure that the school complies with any guidance issued by the Department about child protection matters.

The Department has no record of the occasions when it has been contacted by schools about allegations of child abuse. Support and advice to schools on complaints about child abuse, whether sexual or otherwise, was provided directly by the Education and Library Boards' Designated Officers and from April 2006 by the Child Protection Support Service for Schools.

Registered Childminders

Mr Shannon asked the Minister of Education to detail the number of registered childminders in Northern Ireland, in each of the last three years. (AQW 501/08)

Ms Ruane: Current figures available indicate the number of childminders registered with the Health and Social Care Trusts as

- 3730 in 2005
- 3,627 in 2006
- 3567 in 2007

Childminder Start-Up Package

Mr Shannon asked the Minister of Education what consideration she has given to funding the Childminder Start-Up package. (AQW 502/08)

Ms Ruane: Officials from the Department met with the Director of NICMA on 21st August. At this meeting NICMA was asked to undertake further work in order to demonstrate the benefits, in terms of increased uptake, of introducing a start up grant. NICMA was advised that future consideration may be given to establishing a minimum training standard for childminders.

Some further evidence has since been provided by NICMA, however this will require some additional

clarification. When this is available, I will be happy to convene a meeting with the Director of NICMA to discuss the proposals.

Free School Meals

Mr Butler asked the Minister of Education to detail the number of schools, at primary and post-primary level, where the uptake of free school meals is between (i) 90 -100%; (ii) 80-89%; (iii) 70-79%; (iv) 60-69%; (iv) 50-59%; and (v) 40-49%; and to detail the total enrolment figures for each school included in each of the above categories. (AQW 574/08)

Ms Ruane: Information on the uptake of free school meals is not readily available in the format requested, therefore information on the eligibility of pupils for free school meals has been provided. The latest information available relates to the 2006/07 academic year.

PERCENTAGE PUPILS ENTITLED TO FREE SCHOOL MEALS AT PRIMARY SCHOOLS AND POST PRIMARY SCHOOLS IN 2006/07

% Pupils entitled to free school meals	Primary schools	Post Primary Schools
90 - 100	0	0
80 - 89	0	0
70 - 79	9	0
60 - 69	8	3
50 - 59	34	10
40 - 49	39	13

PERCENTAGE PRIMARY PUPILS ENTITLED TO FREE SCHOOL MEALS BY SCHOOL 2006/07

School name	Total enrolment	% of total enrolment entitled to free school meals
Vere Foster Primary School	102	70 - 79
Beechfield Primary School	110	70 - 79
St Luke's Primary School, Lisburn	226	70 - 79
St Pauls Primary School, Slievemore	183	70 - 79
Blythefield Primary School	132	70 - 79
Currie Primary School	119	70 - 79
St Kieran's Primary School	437	70 - 79
St Aidan's Christian Brothers Primary School	204	70 - 79

School name	Total enrolment	% of total enrolment entitled to free school meals
Gaelscoil An Damba	27	70 - 79
St Bernadette's Primary School	212	60 - 69
Holy Child Primary School, Derry	287	60 - 69
Malvern Primary School	114	60 - 69
Edenbrooke Primary School	184	60 - 69
Holy Cross Girls' Primary School	152	60 - 69
St Peter's Primary School, Belfast	326	60 - 69
The Good Shepherd Primary School	366	60 - 69
Kilcooley Primary School	138	60 - 69
Old Warren Primary School	127	50 - 59
Avoniel Primary School	188	50 - 59
Anamar Primary School	39	50 - 59
Ballysally Primary School	198	50 - 59
St Vincent De Paul Primary School	202	50 - 59
St Matthew's Primary School, Belfast	303	50 - 59
Star Of The Sea Girls' Primary School	317	50 - 59
Christ The King Primary School	145	50 - 59
St Mary's Primary School, Belfast	128	50 - 59
Gaelscoil An Lonnain	44	50 - 59
St Colmcille's Primary School, Downpatrick	211	50 - 59
St Theresa's Primary School, Lenamore	426	50 - 59
Tullygally Primary School	167	50 - 59
Springfield Primary School	73	50 - 59
St Joseph's Primary School, Ballymena	73	50 - 59
St Malachy's Primary School, Belfast	261	50 - 59
Grove Primary School	104	50 - 59
Harmony Primary School	205	50 - 59
St Michael's Primary School, Newtownhamilton	62	50 - 59
Fountain Primary School	112	50 - 59
Blackmountain Primary School	114	50 - 59
Longtower Primary School	311	50 - 59
Glenwood Primary School	455	50 - 59

School name	Total enrolment	% of total enrolment entitled to free school meals
Nettlefield Primary School	272	50 - 59
St Brigid's Primary School, Derry	343	50 - 59
Gaelscoil Eadain Mhoir	116	50 - 59
Scoil Na Fuisseoige	134	50 - 59
Holy Family Primary School	448	50 - 59
Ballee Primary School	71	50 - 59
Holy Cross Boys' Primary School	348	50 - 59
Edmund Rice (CB) Primary School	333	50 - 59
St Malachy's Primary School, Newry	324	50 - 59
St Joseph's Primary School, Belfast	250	50 - 59
Euston Street Primary School	254	50 - 59
St Mark's Primary School, Lisburn	522	40 - 49
Ballygolan Primary School	124	40 - 49
Holy Trinity Primary School, Belfast	621	40 - 49
Ballysillan Primary School	133	40 - 49
Barrack Street Boys' Primary School	184	40 - 49
Bunscoil Mhic Reachtain	65	40 - 49
Tullycarnet Primary School	107	40 - 49
Ashlea Primary School	91	40 - 49
Gaelscoil Na Mona	66	40 - 49
Holy Family Primary School, Belfast	375	40 - 49
St Oliver Plunkett Primary School	167	40 - 49
Harryville Primary School	148	40 - 49
Our Lady's Girls' Primary School	336	40 - 49
Steelstown Vol Maintained Primary School	511	40 - 49
Wheatfield Primary School	167	40 - 49
Silverstream Primary School	144	40 - 49
Sacred Heart Primary School, Belfast	236	40 - 49
The Wm Pinkerton Memorial Primary School	73	40 - 49
St John's Primary School, Derry	588	40 - 49
West Winds Primary School	156	40 - 49
Harpurs Hill Primary School	189	40 - 49

School name	Total enrolment	% of total enrolment entitled to free school meals
Primate Dixon Primary School	483	40 - 49
Botanic Primary School	185	40 - 49
Ballyoran Primary School	265	40 - 49
Donegall Road Primary School	164	40 - 49
St Patrick's Primary School, Newry	362	40 - 49
St Patrick's Primary School, Castlederg	248	40 - 49
Gaelscoil Ui Neill	104	40 - 49
Stewartstown Primary School	34	40 - 49
Sunnylands Primary School	166	40 - 49
Bunscoil An Traonaigh	22	40 - 49
Dunclug Primary School	115	40 - 49
Rathcoole Primary School	191	40 - 49
Knocknagoney Primary School	128	40 - 49
St Patrick's Primary School	207	40 - 49
Bunscoil Cholmcille	163	40 - 49
Earlview Primary School	141	40 - 49
Ballykeel Primary School	322	40 - 49
St Oliver Plunkett Primary School	597	40 - 49

PERCENTAGE POST-PRIMARY PUPILS ENTITLED TO FREE SCHOOL MEALS BY SCHOOL 2006/07

School name	Total enrolment	% of total enrolment entitled to free school meals
St Peter's High School	344	60 - 69
St Gemma's High School	262	60 - 69
St Brigid's College	840	60 - 69
St Colm's High School	701	50 - 59
Immaculate Conception College	239	50 - 59
St Gabriel's Boys School	117	50 - 59
Castle High School	129	50 - 59
St Mary's College	898	50 - 59
St Joseph's High School, Strabane	85	50 - 59
St Rose's High School	549	50 - 59

School name	Total enrolment	% of total enrolment entitled to free school meals
Corpus Christi College	600	50 - 59
St Joseph's Secondary, Derry	902	50 - 59
St Joseph's High School, Dungannon	454	50 - 59
Christian Brothers Secondary School	578	40 - 49
Lisnasharragh High School	193	40 - 49
Balmoral High School	154	40 - 49
Newtownabbey Community High School	302	40 - 49
Our Lady of Mercy Girls' School	438	40 - 49
St Joseph's College, Belfast	663	40 - 49
Mount Gilbert Community College	94	40 - 49
Maghera High School	166	40 - 49
St Cecilia's College	918	40 - 49
Belfast Boys' Model School	959	40 - 49
St Eugene's High School	142	40 - 49
St Joseph's High School, Crossmaglen	547	40 - 49
Orangefield High School	302	40 - 49

Source: NI School Census.

Note: Figures for primary schools include children in nursery, reception and Year 1 – 7 classes.

For nursery children, figures for those children who had a parent(s) in receipt of Job Seeker's Allowance or Income Support was used as a proxy for free school meal eligibility.

Irish Language Schools

Mr G Robinson asked the Minister of Education to detail her department's expenditure on Irish language schools, to date. (AQW 603/08)

Ms Ruane: The tables below show the Department's expenditure on Irish-medium schools between 1999/2000 and 2005/06 (the last year for which this information is readily available).

Figures are based on information provided by each of the Education & Library Boards and by the relevant branches within the Department of Education. LMS expenditure figures include both delegated and centre recurrent funding, but exclude other costs such as milk and meals and transport, which are not allocated at individual school level.

IRISH-MEDIUM SCHOOLS EXPENDITURE

Year	LMS Expenditure	Capital Expenditure	School Improvement Programme
1999/00	£3,039,201	£1,667,584	£27,200
2000/01	£3,809,316	£763,796	£42,874
2001/02	£4,304,243	£140,896	£41,000
2002/03	£5,113,379	£775,717	£52,220
2003/04	£6,128,323	£1,589,219	£75,400
2004/05	£6,553,325	£3,086,106	£228,954
2005/06	£7,866,375	£2,057,054	£151,500
Total	£36,814,162	£10,080,372	£619,148

Hospitality and Entertainment Expenditure

Mr Moutray asked the Minister of Education to detail her department's total expenditure on hospitality and entertainment, in each of the last five years. (AQW 621/08)

Ms Ruane: The total expenditure cost for hospitality, in the last five financial years is as follows:

Year	Cost
2002/03	£23,609
2003/04	£23,791
2004/05	£43,074
2005/06	£33,891
2006/07	£45,146
Total Cost	£169,511

The above are all costs associated with hospitality for the Department and the Minister. All of the above costs are inclusive of associated room hire.

MAGS2 Funding

Mr O'Loan asked the Minister of Education to explain why St Brigid's Primary School, Ballymena, is not eligible for the MAGS2 funding, despite the fact that children who now attend this school were previously entitled to this funding when they attended St Joseph's Primary School, which is now closed. (AQW 640/08)

Ms Ruane: Funds allocated to the MAGS 2 pilot initiative are targeted at schools with the lowest proportion of their pupils achieving the expected level for their age at Key Stage 2 Assessment. St Brigid's Primary School does not meet this criteria.

Sign Language

Mr Shannon asked the Minister of Education to detail the number of teachers in Northern Ireland who hold a sign language qualification. (AQW 655/08)

Ms Ruane: The Department does not hold this information centrally however in July 2007 when answering a previous similar question we contacted the 5 Education and Library Boards and the Council for Catholic Maintained Schools who employ teachers.

The Southern Education and Library Board advised in July 2007 that they had 4 and Western Education and Library Board had 7, these figures related to Peripatetic Teachers in the Boards Sensory Impaired Services. The other employing authorities advised they did not hold this information.

School Enrolments

Mr O'Loan asked the Minister of Education to detail the number of children from the mid-Glens area of Glenariff, Cushendall and Cushendun, who live within the three-mile limit for St Aloysius High School, and who have enrolled in (i) St Aloysius High School, Cushendun; (ii) Cross and Passion College, Ballycastle; (iii) St Macnissi's, Garron Tower; and (iv) St Louis Grammar School, Ballymena, in each of the last five years. (AQW 674/08)

Ms Ruane: The total number of pupils admitted to St Aloysius High School, Cross and Passion College, St Macnissi's College and St Louis Grammar School for the last five school years is set out in the attached table. This information relates to pupils living in the mid-Glens area of Glenariff, Cushendall and Cushendun. Information relating to which of these children live within a three mile radius of St Aloysius High School is not readily available and its retrieval would result in disproportionate cost.

School	2003	2004	2005	2006	2007
St Aloysius High School	11	9	8	1	0
Cross and Passion College	10	10	13	18	22
St Macnissi's College	37	25	24	15	32
St Louis Grammar School	4	5	2	2	2

EMPLOYMENT AND LEARNING

Course Fees

Mr Weir asked the Minister for Employment and Learning to detail the average fees charged for a course, broken down by each of the Further Education Colleges, in each of the last five years. (AQW 468/08)

The Minister for Employment and Learning (Sir Reg Empey): As incorporated bodies, further education colleges are responsible for their own curriculum offers and set their own course fees policies. Therefore, the Department for Employment and Learning does not hold details of fees charged by colleges for further education courses in Northern Ireland. In addition, further education colleges do not, routinely, hold information on the average fees charged for courses and, given the large number of part-time and full-time courses offered by colleges, this information could not be made available easily.

Course Fees

Mr Weir asked the Minister for Employment and Learning to outline what scope his department has to reduce or cap fees charged to students by Further Education Colleges. (AQW 470/08)

Sir Reg Empey: As incorporated bodies, further education colleges are responsible for their own curriculum offers and for setting the level of fees, including concessionary fees, charged to students for the courses they provide. The Department for Employment and Learning does not intervene in this matter.

Sector Skills Agreement

Mr Shannon asked the Minister for Employment and Learning what steps he is taking to co-ordinate a sector skills agreement between further education colleges and the manufacturing industry. (AQW 504/08)

Sir Reg Empey: Sector Skills Agreements are or have already been agreed by five Sector Skills Councils in relation to different sectors of manufacturing industry. The agreements are brokered among a range of private and public sector stakeholders which may include further education colleges.

Student Loans

Mr Shannon asked the Minister for Employment and Learning to explain the decision to increase interest rates for Student Loans from 2.4% to 4.8%. (AQW 544/08)

Sir Reg Empey: Student loans are issued on the basis that borrowers should repay broadly the same amount, in real terms, as they borrowed. Therefore the interest rate is linked only to the rate of inflation which is calculated annually using the Retail Price Index (RPI). For the academic year 2007/08 the interest rate will be set at the current RPI rate of 4.8%. This represents an increase from 2.4% in 2006/07 and may continue to fluctuate year on year according to the rate of inflation.

Skills Pool

Mr Shannon asked the Minister for Employment and Learning what steps he is taking to address the gaps in Northern Ireland's skills pool, with particular reference to skilled labour, e.g. plumbing, joinery etc. (AQW 545/08)

Sir Reg Empey: Success through Skills, the Skills Strategy for Northern Ireland, aims to identify current and future skills needs both at a regional and local level and seek appropriate interventions.

The Strategy advocates the use of the Department's existing provision to raise the population's overall level of skills. In addition, the Department is examining more sector specific requirements through an employer led network consisting of the Skills Expert Group, six Workforce Development Forums and the 25 UK wide Sector Skills Councils (SSCs).

Training for Success, which replaced the existing Jobskills programme in September 2007, is the Department's flagship professional and technical training provision. It provides the opportunity to a significant number of young people to work towards industry recognised qualifications.

SSCs have specific responsibility for setting standards within their industry, including the requirements for Apprenticeship provision within Training for Success. SummitSkills and ConstructionSkills are the SSCs responsible for plumbing and joinery respectively. The councils also work with the employers to promote apprenticeships and that scope has now been widened with the introduction of Level 2 Apprenticeship training in addition to the existing Level 3 provision.

The Department, for its part, will continue to promote professional and technical training widely and in particular apprenticeships. There are some 54 Suppliers delivering Training for Success and under contract they are also required to develop relationships with industry and employers and to promote training and apprenticeships.

Student Enrolments

Mr Shannon asked the Minister for Employment and Learning to detail the number of students from the Strangford constituency, who enrolled in (i) university; (ii) further education college; and (iii) apprenticeships, in each of the last three years. (AQW 565/08)

Sir Reg Empey: The Table below details the requested data for Universities and Further Education Colleges during the period 2003/04 to 2005/06, the latest year for which data are available. Data in relation to apprenticeships have been provided for the years 2004/05 to 2006/07.

STUDENTS ENROLLED FROM THE STRANGFORD PARLIAMENTARY CONSTITUENCY, 2003/04 – 2005/06

Students enrolled in:	2003/04	2004/05	2005/06	2006/07
UK Universities ¹	3,305	3,465	3,415	
NI Further Education Colleges ²	5,926	7,215	6,751	
NI Apprenticeships ³		159	141	155

Sources: ¹ Higher Education Statistics Agency (HESA),

² Further Education Statistical Record (FESR),

³ Client Management System.

Note: ¹ HESA figures are rounded to the nearest 5.

South Eastern Regional College

Mrs I Robinson asked the Minister for Employment and Learning if he can confirm that there are no plans to close or wind down operations at the Kircubbin and Ballyboley campuses of the South Eastern Regional College. (AQW 581/08)

Sir Reg Empey: I can confirm that there are currently no plans to close or wind down operations at these campuses. However, colleges keep their course provision under regular review to take account of the changing demand in their areas, while ensuring continued ease of access for learners.

ENTERPRISE, TRADE AND INVESTMENT

Competitiveness Programme (2007-2013)

Mr I McCrea asked the Minister for Enterprise, Trade and Investment what is his assessment of the Competitiveness Programme (2007-2013), with its focus on enterprise development, with reference to its ability to address and support the broader economic development needs of the west region, given the

concerns highlighted by district councils in this area.
(AQW 460/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): The future Northern Ireland Competitiveness programme 2007-13, co-financed by the European Regional Development Fund, has been drawn-up in partnership with a wide range of regional interests including local government representatives, public and private sector bodies, social partners, business and research bodies, and environmental agencies. The draft Programme, which is expected to be approved shortly by the European Commission, has been prepared in line with the new EU Guidelines and Regulations and fulfils the Lisbon requirement to focus on spending to help achieve a step-change in Northern Ireland's competitiveness.

The draft Programme covers all of Northern Ireland and is aimed at boosting the performance of the regions as a whole. The draft Programme will allow support for a broad range of strategic economic development activities and needs across Northern Ireland. While the Guidelines for the programme do not provide for expenditure on large scale infrastructure, a point of concern for some Councils, I hope that all parts of the region, including the west, will benefit from it.

Competitiveness Programme (2007-2013)

Mr I McCrea asked the Minister of Enterprise, Trade and Investment what plans are in place within the Competitiveness Programme (2007-2013), to support the unique economic needs of the west whilst meeting the challenges proposed by the Lisbon Agenda.
(AQW 461/08)

Mr Dodds: The future Northern Ireland Competitiveness programme 2007-13 co-financed by the European Regional Development Fund has been drawn-up in partnership with a wide range of regional interests including, local government representatives, public and private sector bodies, social partners, business and research bodies, and environmental agencies. The draft programme which is expected to be approved shortly by the European Commission is fully in line with the new EU Guidelines and Regulations and fulfils the Lisbon requirement to focus on spending to help achieve a step-change in Northern Ireland's competitiveness.

The programme covers all of Northern Ireland and is aimed at boosting the performance of the regions as a whole. The programme will allow for support for a broad range of strategic economic development activities addressing needs and challenges across Northern Ireland.

Competitiveness Programme (2007-2013)

Mr I McCrea asked the Minister of Enterprise, Trade and Investment if he will make a statement on the new Competitiveness Programme (2007-2013); and if he will ensure that the Programme will allow local authorities to fund Town Centre Regeneration Programmes and Marketing Initiatives, as was the case within the previous Building Sustainable Prosperity Programme (2001-2007).
(AQW 462/08)

Mr Dodds: The Draft Programme, which is expected to be approved shortly by the European Commission, has been prepared in line with the new EU Guidelines and Regulations and fulfils the Lisbon requirement to focus on spending to help achieve a step-change in Northern Ireland's competitiveness.

Under the new rules governing types of activities that may be funded under the new Competitiveness and Employment Objective, many of the activities that were previously funded under the Building Sustainable Prosperity Programme in Northern Ireland as an 'Objective 1' region are no longer eligible. No money has specifically been set aside within the draft Programme for town centre regeneration, but the programme would allow for strategic business development activities which could impact on urban and rural regeneration. Any proposals put forward would be considered on their merit and their potential contribution to meeting the aims and objectives of the future Programme.

Competitiveness Programme (2007-2013)

Mr I McCrea asked the Minister of Enterprise, Trade and Investment what plans are in place within the new Competitiveness Programme (2007-2013) to ensure that those Town Centre Regeneration Strategies previously funded by his department, in partnership with district councils, will be financially supported and implemented over the next five years.
(AQW 463/08)

Mr Dodds: The future Northern Ireland Competitiveness programme 2007-13, co-financed by the European Regional Development Fund, is expected to be approved shortly by the European Commission. The Draft Programme has been prepared in line with the new EU Guidelines and Regulations and fulfils the Lisbon requirement to focus on spending to help improve Northern Ireland's competitiveness.

Under the new rules governing types of activities that may be funded under the new Competitiveness and Employment Objective, many of the activities that were previously funded under the Building Sustainable Prosperity Programme in Northern Ireland as an 'Objective 1' region are no longer eligible. No money has specifically been set aside for town centre regeneration,

but the programme will allow for strategic business development activities which could impact on urban and rural regeneration. Any proposals put forward would be considered on their merit, and their potential contribution to meeting the aims and objectives of the future programme.

Competitiveness Programme (2007-2013)

Mr I McCrea asked the Minister of Enterprise, Trade and Investment what future role the Assembly will have in formulating and detailing the programme complement of the Competitiveness Programme (2007-2013), to ensure that it meets the economic needs of Northern Ireland, and in particular, the west. (AQW 464/08)

Mr Dodds: Under the new EU Regulations for the funding period 2007-13, there is no requirement for a Programme Complement to EU Competitiveness and Employment programmes. The Northern Ireland ERDF Competitiveness Programme 2007-13 is a strategic-level framework programme covering the whole of Northern Ireland: it sets out how we will use our share of the UK's Structural Fund allocation 2007-13 to complement national spending to improve our competitiveness and create a sustainable, knowledge-based economy with opportunities for all. The strategy and the key spending Priorities in the draft programme, which is expected to be approved shortly by the EU Commission, is fully in line with the Lisbon requirement to devote EU resources to increasing the levels of Research and Development and promoting innovation. Equality and sustainable development are cross-cutting themes underpinning each of the Priorities in the future programme. The Assembly and its Committees have oversight of EU Programme expenditure in the same way as other public expenditure. The draft programme was presented to the Finance and Personnel Committee of the Assembly and approved by the Executive before submission to the EU Commission.

Financial Capability Strategy

Mr Beggs asked the Minister of Enterprise, Trade and Investment what steps are being taken to implement the Financial Services Authority's United Kingdom Financial Capability Strategy, given the research conducted by the Consumer Council, which shows that consumers in Northern Ireland are falling behind at being financially capable. (AQW 525/08)

Mr Dodds: The Consumer Council for Northern Ireland, in conjunction with the Financial Services Authority, has established a Northern Ireland Financial Capability Partnership which includes the public sector, financial institutions and voluntary and community

organisations. The Partnership is planning a range of initiatives aimed at improving the level of financial capability in Northern Ireland. Funding from the FSA has been secured to create a NI Financial Capability Co-ordinator post in the Consumer Council to work towards implementing the UK Financial Capability Strategy in NI from October 2007.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of Enterprise, Trade and Investment (i) to provide an estimate of the cost placed on the Giant's Causeway Visitors' Centre at each stage since 2000; (ii) to detail whether or not a cost limit was included as part of the specification for the international design competition announcement in 2005; and (iii) to explain the reasons why the cost appears to have escalated from approximately £14 million in 2004, to over £21 million in 2007, an increase of 50% in three years. (AQW 558/08)

Mr Dodds:

- (i) My Department only assumed the lead in this project in April 2003. The first project cost estimate was produced in late 2004 for the international design competition which commenced in February 2005. The estimated project cost, which was based on an anticipated completion date of May 2007, was £14 million - £8.5 million of which was the estimated construction cost. The balance was for contingency and fees. The next cost estimate was produced after the competition in May 2006. The estimated cost was then £17 million. This assumed a completion date of December 2008. A more detailed cost estimate was produced in November 2006. The estimated cost was then £20 million with a completion date of March 2009. The most recent cost estimate was produced in May 2007. The estimated cost was then £21.5 million with a completion date of December 2009.
- (ii) The International Architectural Competition Brief set an indicative budget of £8.5 million for construction. This excluded fees and contingency of circa £5.5 million
- (iii) The reasons for the increase in project costs include;
 - (a) design of the building – underground design more expensive
 - (b) increase in building size from 1800 sq metres to 2000 sq metres
 - (c) additional work on landscaping and off site car parking

- (d) decanting the existing visitor facilities during the period of construction
- (e) construction inflation
- (f) increased provision for contingency and fees

Giant's Causeway Visitors' Centre

Mr McKay asked the Minister of Enterprise, Trade and Investment to detail the comments made by the Geological Survey of Northern Ireland in relation to the private application for a visitors' centre at the Giant's Causeway. (AQW 576/08)

Mr Dodds: I have arranged for copies of the GSNI comments in relation to the visitors' centre at the Giant's Causeway to be placed in the library of the Assembly.

Broadband Availability

Mr McKay asked the Minister of Enterprise, Trade and Investment to detail the villages in North Antrim that do not have broadband access; and to outline his department's strategy and timetable for delivering 100% broadband availability in North Antrim. (AQW 577/08)

Mr Dodds: Broadband access with speeds of no less than 512 kilo bits per second has been available to all of Northern Ireland since December 2005. This includes every village in North Antrim and is delivered either through telephone lines, wireless or satellite services. Consumers can often choose from more than one provider.

Giant's Causeway Visitors' Centre

Mr McKay asked the Minister of Enterprise, Trade and Investment what is his assessment of the Northern Ireland Tourist Board's comments, made on 27 June 2002, in regard to the private application for a visitors' centre at the Giant's Causeway, which stated that 'applications close to the World Heritage Site have the potential to forever compromise the visual and environmental integrity of the area', with specific reference to whether or not this development will detrimentally affect the tourist industry. (AQW 578/08)

Mr Dodds: I am advised that this reference is taken from a single Northern Ireland Tourist Board (NITB) response to planning consultations in respect of a number of proposed developments. I am also advised that the views expressed in June 2002 were framed in the circumstances of the time. These included work being

undertaken by the Department of the Environment (DOE) on an Area of Outstanding Natural Beauty Management Plan and the drafting of the Northern Area Plan. The planning system, which is the responsibility of DOE, deals with issues of visual and environmental integrity. The tourism industry will be best served by the development of facilities which enhance the visitor experience and which protect the interests of taxpayers.

Asbestos-related Illness

Mr Weir asked the Minister of Enterprise, Trade and Investment to detail the number of people who have died as a consequence of asbestos-related illness, contracted through exposure to asbestos in their workplace, in each of the last ten years.

(AQW 595/08)

Mr Dodds: Asbestos-related diseases are, in the main, occupationally acquired and include asbestosis, mesothelioma and lung cancer. The table below gives the number of deaths in each year between 1997 and 2006 where the underlying cause of death was recorded as mesothelioma¹ or 'asbestosis'². The number of deaths caused by asbestos related lung cancer is not available. However, estimates suggest that they equal those caused by mesothelioma. For the majority of these deaths, the workplace is likely to have been the relevant source of asbestos. However there are no figures available on such exposure related to cause of death.

- 1 International Classification of Diseases, Tenth Revision code C45 for years 2001-2006 and Ninth Revision codes 158.9 or 163.9 for year 1997-2000.
- 2 International Classification of Diseases, Tenth Revision codes J61 and J92.0 for years 2001-2006 and Ninth Revision code 501 for year 1997-2000.

**TABLE: NUMBER OF REGISTERED DEATHS BY YEAR
IN NORTHERN IRELAND RESULTING FROM ASBESTOS
RELATED ILLNESSES (MESOTHELIOMA AND 'ASBESTOSIS'),
1997- 2006**

Registration Year	Mesothelioma	'Asbestosis'	Total
1997	42	-	42
1998	40	6	46
1999	46	4	50
2000	37	6	43
2001	54	9	63
2002	42	12	54
2003	46	9	55
2004	51	14	65

Registration Year	Mesothelioma	'Asbestosis'	Total
2005	34	10	44
2006 ^p	47	6	53

^p Provisional data.

Note: Data from 2001-2006 have been agreed by the Northern Ireland Statistics and Research Agency (NISRA) and the Health and Safety Executive Northern Ireland (HSENI). Prior to 2001 the figures are from NISRA only.

Asbestos-related Illness: Harland and Wolff

Mr Peter Weir asked the Minister of Enterprise, Trade and Investment what compensation arrangements have been put in place by Harland and Wolff, to compensate employees who have contracted asbestos-related illnesses from exposure to asbestos during their time of employment with the company.

(AQW 596/08)

Mr Dodds: Harland & Wolff was taken into public ownership in 1975. Harland & Wolff plc (H&W plc) remained in public ownership at the time of the privatisation of the shipbuilding business in 1989. All liabilities that existed at this time were retained in H&W plc.

DETI has guaranteed funding to H&W plc to enable it to meet liabilities as they fall due. This commitment covers funding to meet obligations that would fall to the company in relation to agreed compensation claims from employees who contracted asbestos related illnesses. This position was affirmed in a statement to the Northern Ireland Assembly on 5 March 2002 by Sir Reg Empey, the then DETI Minister.

Asbestos-related Illness: Harland and Wolff

Mr Weir asked the Minister of Enterprise, Trade and Investment to detail (a) the number of Harland and Wolff employees who have received compensation for asbestos-related illnesses contracted from their employment at the shipyard; and (b) the total amount of compensation paid out by the company. (AQW 597/08)

Mr Dodds: Statistical Information relating to the above is available only from 2001 onwards. No earlier information is available as previously the company's insurers, Chester Street, would have settled claims on the company's behalf.

- (a) 2,693 employees have received compensation since 2001.
- (b) £30,273,903 has been paid to former employees since 2001.

ENVIRONMENT

Planning Applications

Mr O'Loan asked the Minister of the Environment to detail (i) all Article 31 planning applications that were in the system when she took up office; (ii) the dates upon which each of these applications were submitted to the Planning Service; (iii) the dates upon which they were declared under Article 31; and (iv) the date upon which she made a decision, in cases where a decision has been made.

(AQW 325/08)

The Minister of the Environment (Mrs Foster): I can confirm that there were 69 Article 31 planning applications in the system on 8 May 2007, 1 of which was approved on 27 July 2007 (extension to foodstore at Knocknagoney) and 2 of which have since been withdrawn (proposed extension to landfill site, Gortin and foodstore/retail warehouse, Enniskillen). The dates these applications were received by Planning Service, as well as the dates they were declared Article 31, are detailed on the attached table.

There are a number of key factors which contribute to the timescales involved in the processing of an Article 31 application. The most important is the quality of the application and its supporting information. The vast majority of Article 31 applications because of the scale, nature and location of the proposal, are required to be accompanied by a significant amount of environmental information – information which is submitted in the form of an Environmental Statement. It is very often the case that the required environmental information is submitted long after an application has been submitted to Planning Service added to which further information may be required following consultation with environmental bodies. This has significant implications for timescales.

Another is the development plan process and, particularly, the issue of prematurity – which is applicable to a significant number of current Article 31 applications. At present, for example, a number of applications are awaiting the outcome of the Ards/Down Area Plan public inquiry and as a result have been in the process for some time.

The Strategic Projects Unit is aware of the need to bring long-standing applications to the decision stage and steps have been taken which should ensure that the number of such cases is significantly reduced in the coming months.

App Ref No	Date Received	Description	Date declared Article 31	Outcome
1. A/2004/1251	03-Dec-04	Erection of six storey building for office & ancillary uses on the bed of the river Foyle. Foyle embankment L'Derry.	24-Mar-05	No decision made as yet.
2. U/2001/0243	04-May-01	Construction of Housing Scheme along with Roads & associated site works & landscaping , Ross's Ave, Ballyclare.	23-Aug-01	No decision made as yet.
3. R/2002/0971	05-Aug-02	Continuation of use of land in accordance with planning permission R/1993/0400 without conditions 3 & 4. Bishopcourt, Ballyhornan.	25-Nov-02	No decision made as yet.
4. X/1999/0842	08-Oct-99	Residential Development Donaghadee Road, N'ards	03-Dec-99	No decision made as yet.
5. Z/2003/2725	10-Nov-03	Mixed Use Development Bridge End, Belfast.	05-Mar-04	No decision made as yet.
6. F/2006/0131	09-May-06	Regeneration of Former Magheramore Works & Quarry. Magheramore, Larne.	10-Aug-06	No decision made as yet.
7. X/2000/0414	11-Apr-00	Residential Development & provision for Link road Newtownards	09-Jun-00	No decision made as yet.
8. U/2006/0377	11-Jul-06	First phase of Relief Road. western edge of Ballyclare.	31-Oct-06	No decision made as yet.
9. Z/2004/0329	12-Feb-04	Brunswick (Sirocco) Ltd Office, Buildings & Apartments Bridge End,Belfast	07-Apr-04	No decision made as yet.
10. N/2007/0131	14-Feb-07	Marlborough Retail Park Highfield Grove, Craigavon.	04-Apr-07	No decision made as yet.
11. X/1999/0030	15-Jan-99	Village Development between Bangor Rd & Donaghdee Rd. Newtownards.	29-Mar-00	No decision made as yet.
12. Z/2004/1455	14-Jun-04	NIHE Housing & Mixed development Hannahstown Hill, Belfast.	04-Oct-04	No decision made as yet.
13. J/2006/0616	19-May-06	Strategic mixed use development including employment park, leisure complex and hotel inc landscaping, Strabane.	10-Aug-06	No decision made as yet.
14. X/2001/ 1118	20-Sep-01	Housing Development at Movilla Road, Newtownards.	15-Jan-02	No decision made as yet.
15. F/1999/0465	23-Dec-99	Waterfront Leisure Development with Marina, hotel, restaurant & apartment. Larne	17-Apr-00	No decision made as yet.
16. X/2001/0457	24-Apr-01	Residential development Newtownards.	25-Sep-01	No decision made as yet
17. E/2002/0065	25-Feb-02	Giant's Causeway World Heritage visitor & Study Centre , Bushmills.	11-Apr-02	No decision made as yet.
18. T/1999/0376	29-Jun-99	New Village settlement Clady Road, Dunadry.	24-May-00	No decision made as yet.
19. Y/2006/0379	30-Jun-06	Park and Ride Adjacent to Saintfield Road Belfast.	26-Sep-06	No decision made as yet.
20. Z/2000/2178	05-Sep-00	Comprehensive mixed-use development, Sirocco Works Belfast	03-Nov-00	No Decision made as yet
21.Z/2006/2864	12-Dec-06	Titanic Quarter residential Mixed-use development. Belfast.	27-Mar-07	No Decision made as yet *Minister announced her intention to approve this application on 2 October 2007

App Ref No	Date Received	Description	Date declared Article 31	Outcome
22. Z/1996/2070	01-Feb-96	Proposed Incinerator & Storage of waste and sewage for production of Electricity McCaughey Road, Belfast.	22-Apr-96	No Decision made as yet
23. A/1998/0451	03-Jul-98	Proposed extension to restoration of landfill site Gortin	22-Oct-98	Application Withdrawn 24/07/2007
24. J/1994/0386	27-Oct-94	Proposed landfill facility Moorlough Road, Artigarvan.	13-Dec-94	No Decision made as yet
25. R/1996/0677	09-Aug-96	Proposed animal incineration plant, Crossgar.	01-Oct-96	No Decision made as yet
26. F/2001/007	10-Jan-01	Proposed Landfill facility. Ballyrickard Road, Larne.	01-May-01	No Decision made as yet
27. H/1997/0364	18-Jul-97	Change of use from Quarry to refuse disposal / recycling facility, Knocklochrim Quarry. L'Derry.	28-Oct-97	No Decision made as yet
28. Z/1997/2681	22-Aug-97	Plant for the generation for electric power, Duncrue Street Belfast	04-Dec-97	No Decision made as yet
29. T/2002/0020	16-Jan-02	Change of Use from Quarry to a site for the disposal of refuse & waste landfilling Ladyhill, Antrim	24-May-02	No Decision made as yet
30. T/2001/0517	02-Jul-01	Landfill site & Materials recovery. Craigmore Quarry Craigmore Rd, Randalstown	02-Sep-02	No Decision made as yet
31. B/2005/0329	04-May-05	Extension to Eden Quarry, Glenshane Road, Dungiven.	08-Aug-05	No Decision made as yet
32. F/2005/0044	10-Feb-05	Extension to Parishagh & Demesne Quarry, Glenarm.	13-Apr-05	No Decision made as yet
33. X/2006/0302	23-Mar-06	Extension to existing quarry, Moss Road, Ballygowan Co.Down	06-Jul-06	No Decision made as yet
34. B/2004/0862	23-Dec-04	Extension to existing sand & gravel pit (Murnees Sand pit) Dungiven	13-Apr-05	No Decision made as yet
35. L/20061397	25-Apr-06	Variation of planning conditions to allow deepening of Slushill Quarry, Lisnakea.	06-Apr-06	No Decision made as yet
36. I/2004/1062	23-Sep-04	Extension of existing quarry at Ballymagilly, Cookstown.	21-Feb-05	No Decision made as yet
37. Q/06/1075	07-Dec-06	Superstore Bridgewater Park, Banbridge	23-Mar-07	No Decision made as yet
38. Q/06/1074	01-Dec-06	Warehouse Park Bridgewater park Banbridge	23-Mar-07	No Decision made as yet
39. Z/03//2548	16-Oct-03	New floodlit soccer pitches housing development retail & car parking Fortwilliam Roundabout Belfast	25-Aug-04	No Decision made as yet
40. N/04/1170	01-Nov-04	Food superstore with parking (Northway/Highfield Heights,Craigavon)	17-Dec-04	No Decision made as yet
41. N/04/1314	06-Dec-04	Food superstore Marlborough Retail Park Craigavon	02-Feb-05	No Decision made as yet
42. N/98/0458	06-Jul-98	Retail development Shillingstons Site Portadown	04-Sep-98	No Decision made as yet
43. L/04/1961	06-Oct-04	Foodstore/Retail ware-house former abattoir site Enniskillen	02-Dec-04	Application Withdrawn 23/07/2007
44. J/05/0125	07-Feb-05	Retail Development Strabane	30-Mar-05	No Decision made as yet

App Ref No	Date Received	Description	Date declared Article 31	Outcome
45. X/05/1156	07-Oct-05	Retail Development Castlebawn, Newtownards.	24-Nov-05	No Decision made as yet
46. Z/02/0572	08-Mar-02	Extension Castlecourt Shopping centre Belfast	25-Jun-02	No Decision made as yet
47. Z/03/2727	10-Nov-03	Major Retail Development Brigde end, Belfast.	05-Mar-04	No Decision made as yet
48. U/05/0070	09-Feb-05	Extension Abbeycentre Longwood rd, Newtownabbey	06-Apr-05	No Decision made as yet
49. A/07/0145	09-Feb-07	Proposed redevelopment of existing Lisnagelvin Shopping centre Lisnagelvin Rd, L'Derry	04-Apr-07	No Decision made as yet
50. S/06/0443	10-Apr-06	Major mixed-use urban extension	21-Jul-06	No Decision made as yet
51. A/06/0180	24-Feb-06	Retail foodstore Buncranan Rd, L'Derry	19-Jan-07	No Decision made as yet
52. S/05/1556	11-Nov-05	Tourist destination and retail garden centre restaurant, garden areas Car parking, landscaping Saintfield Rd, Belfast.	19-Jul-06	No Decision made as yet
53. Z/04/2377	12-Oct-04	Mixed-used Development Smithfield Square North Belfast.	31-Jan-05	No Decision made as yet
54. N/96/0321	15-Apr-96	Supermarket&Petrol filling station, Craigavon	13-Jun-96	No Decision made as yet
55. N/05/0253	14-Mar-05	Site for Foodstore (Marlborough Retail park) Alternative scheme to N/04/1314 Craigavon	12-May-05	No Decision made as yet
56. X/05/0653	17-May-05	Shopping centre and associated multi storey car park	30-Jun-05	No Decision made as yet
57. A/04/0976	17-Sep-04	Proposed food store car parking , Buncrana rd Templemore Rd, L'Derry.	17-Nov-04	No Decision made as yet
58. X/04/1800	21-Dec-04	Extension to existing Ards Shopping centre Newtownards.	17-Feb-05	No Decision made as yet
59. N/96/0138	23-Feb-96	Retail development-food store/retail warehousing, Edenderry Portadown.	29-Apr-96	No Decision made as yet
60. N/05/0288	23-Mar-05	Foodstore at Edenderry, Portadown	12-May-05	No Decision made as yet
61. Z/04/2299	01-Oct-04	Extension to existing food store Knocknagoney, Belfast	17-Jan-05	Approved 27/7/07
62. Z/06/2018	25-Aug-06	Superstore Castlereagh Rd, Belfast	24-Oct-06	No Decision made as yet
63. Z/03/0437	25-Feb-03	Mixed use development Alternative proposal to Z/00/0520, Royal Avenue & Donegall St, Belfast.	16-Jun-03	No Decision made as yet
64. S/04/1757	10-Nov-04	Outline application for retail development on Mckinstry Road Lisburn	14-Mar-05	No Decision made as yet
65. Z/04/2742	26-Nov-04	Extension to existing Westwood Shopping Centre, Belfast	5-Jan-05	No Decision made as yet
66. Y/05/0257	27-May-05	Retail warehousing at Purdysburn Rd/ Saintfield Rd Belfast	26-Jan-06	No Decision made as yet
67. Y/00/0704	30-Oct-00	Comprehensive road improvement, Castlereagh, Belfast.	29-Dec-00	No Decision made as yet
68.T/06/0629	31-Jul-06	Food superstore Ballymena Rd, Antrim.	27-Sep-06	No Decision made as yet
69. Z/00/0520	25-Feb-00	Retail, leisure, hotel and residential use development, Cathedral Way, Belfast	28-Nov-00	No Decision made as yet

Planning Applications

Mr Hamilton asked the Minister of the Environment to detail the number of outstanding planning applications, broken down by district council area; and to detail the average amount of time taken to deal with such an application. (AQW 474/08)

Mrs Foster: At 31 August 2007, there were a total of 19,024 outstanding planning applications (that is, not yet determined). The median (that is, most appropriate average) length of time these applications have been outstanding was 24.2 working weeks. The breakdown of these figures by District Council area is as follows:

OUTSTANDING APPLICATIONS AT 31/08/2007

District Council Area	Number of Outstanding applications	Median ¹ Number of Weeks Outstanding
Antrim	305	11.8
Ards	726	19.2
Armagh	1284	49.9
Ballymena	618	18.5
Ballymoney	324	20.2
Banbridge	930	34.6
Belfast	1482	18.4
Carrickfergus	206	16.8
Castlereagh	292	17.2
Coleraine	757	22.2
Cookstown	488	19.8
Craigavon	615	23
Derry	897	23.6
Down	787	22
Dungannon	729	18.4
Fermanagh	1206	24.8
Larne	310	22.2
Limavady	381	22.2
Lisburn	1103	23.8
Magherafelt	698	28.2
Moyle	264	23.9
Newry and Mourne	2360	41.8
Newtownabbey	438	18.6
North Down	609	19.4
Omagh	872	21.2
Strabane	343	16
Planning Service Total	19024	24.2

¹ The mean is sensitive to abnormally high values, which may be caused by inaccuracies in the data, and does not represent the typical average time an application is outstanding. Therefore the most appropriate average value to produce this, in this instance, is the median.

Dog Fouling

Mr O'Loan asked the Minister of the Environment what plans she has to help district councils to develop a strategy to tackle dog fouling; and what will be the content of this strategy. (AQW 492/08)

Mrs Foster: Dog fouling is one of a number of issues presently under consideration by my Department as part of our work to bring forward stronger and more effective legislation to help district councils to improve local environmental quality. We are considering various options to allow more effective control of dog fouling. It is our intention to consult on specific proposals in due course.

Eastwood Envirowise Facility, Crumlin

Mr Burns asked the Minister of the Environment, pursuant to her answer to AQO 170/08, to detail specifically the tonnage of (i) inert waste; and (ii) reclamation material stored at the Eastwood Envirowise facility, Crosshill Road, Crumlin, BT29 4BQ. (AQW 513/08)

Mrs Foster: There are approximately 8,000 tonnes of waste stored at the Eastwood Envirowise facility in Crumlin prior to reclamation.

The waste stockpiles are comprised of bricks, rubble, concrete and small amounts of wood and metal. It is not possible to give a further breakdown on the composition of this waste prior to processing on site by the operator as it is mixed when the site receives it.

Material which has been reclaimed is transported off site. EHS is satisfied that the site operator is complying with a licensed limit of 1,000 tonnes of reclaimed material permitted on the site.

Planning Applications for Retirement and Farm Workers Dwellings

Mr O'Loan asked the Minister of the Environment to detail the criteria used to assess farm viability for retirement and farm workers' dwellings; and to detail all applications refused (with reasons) and approved in the Moyle District Council area, since January 2007. (AQW 534/08)

Mrs Foster: The relevant policy context within which planning applications for retirement and farm workers dwellings are considered is detailed in policy

CTY1, 2 and 3 of draft Planning Policy Statement 14 – Sustainable Development in the Countryside. This and other planning policies can be viewed on the Planning Service website at www.planningni.gov.uk

When considering the viability element of the policy the Department, in line with Policy CTY2, considers the following:

- (i) labour requirements of the farm, including the need for specialist workers and the level of attention needed outside normal hours;
- (ii) Farm Details, the extent and nature of the farm enterprise; including details of land owned, taken in conacre, stock numbers and type of farming operations; (Land taken in conacre will only be considered, in the assessment of need, when it has been a regular part of a farm unit over a considerable period of years -generally not less than 10 years).
- (iii) The man-hour requirements of a farm will indicate the numbers of workers required to run the business, but this does not necessarily mean that it is essential for all those workers to live on the farm.
- (iv) the level of investment and commitment to the business. Investment in farm buildings, or maintenance and improvement of land alone, may not be sufficient evidence of a commitment. Actual agricultural use for a sufficient period of time will be necessary.
- (v) Consultation response from Department for Agriculture and Rural Development.
- (vi) The case provided by the applicant to show that the proposed occupant is sufficiently involved in farming, to be considered mainly working in agriculture on the farm, and that it is essential he or she should live there, for the working of that farm.

Details of the applications for farm dwellings approved and refused since January 2007 will be provided to you in a separate letter.

Path Erosion

Mr W Clarke asked the Minister of the Environment what resources have been invested in the high Mourne to combat path erosion in the last two years.

(AQW 548/08)

Mrs Foster: My Department's Environment and Heritage Service has provided the National Trust with grant aid of £30,568 towards a Slieve Donard Access and Erosion project; £17,864.33 in the 2005/06 financial year and £12,703.67 in 2006/07. Through this project, an upland access team provided specialist

skills in the construction of stone pitched footpaths and the restoration of eroded habitats.

I believe that effective management of access is crucial to landowners and visitors alike. I have therefore asked Environment and Heritage Service to commit a further £500,000 over three years to address some of the recommendations of the Mourne Access Study.

This will provide additional resources for developing and improving access facilities, providing better information for walkers and helping landowners deal with the problems they face.

Wastewater Treatment Works at Newcastle, Co. Down

Mr W Clarke asked the Minister of the Environment to outline the environmental concerns her department has in relation to the performance of the wastewater treatment works at Newcastle, Co. Down; to list the data for discharges from this treatment works; and to detail how this data complies with Environment and Heritage Service guidelines. (AQW 549/08)

Mrs Foster: Environment and Heritage Service (EHS) regulates discharges from Northern Ireland Water (NIW) waste water treatment works (WWTW) against standards set by EHS and also standards under the Urban Waste Water Treatment Directive (UWWTD).

Since 1 January 1997, the quality of the effluent discharged by the works has complied with EHS discharge standards every year, except for 2003 when one sample failed. This single failure caused the works to fail for the year 2003.

Since 1 January 2001, the quality of the effluent discharged by the works has complied with the requirements of the UWWTD, except on one occasion in 2006. This single failure caused the works to fail for the year 2006. Since 1991, the works has provided secondary treatment – this has been a requirement of the UWWTD since 1 January 2001.

The bathing water at Newcastle failed to comply with the mandatory standards of the EC Bathing Waters Directive during 2001, 2005 and 2007 and also with the tighter guideline standards during 2002, 2004 and 2006. The failures are considered to be largely due to the impact of storm overflows from the Newcastle sewer system during wet weather, in conjunction with overflows from the WWTW.

Following investigation of the failures of the bathing water, a study, commissioned by the, then, Water Service at the request of EHS, into the operation of the sewer system, was carried out and this was completed in February 2006. Following this, in March 2006, EHS agreed a solution with Water Service which is designed

to reduce the spillage from storm overflows on the system. NIW is currently drawing up implementation plans to put the agreed solution in place.

Access to the High Mournes

Mr W Clarke asked the Minister of the Environment what resources have been invested to improve access from Newcastle, Co. Down to the high Mournes, in each of the past two years. (AQW 554/08)

Mrs Foster: My Department's Environment and Heritage Service has provided the National Trust with grant aid of £30,568 towards a Slieve Donard Access and Erosion project; £17,864.33 in the 2005/06 financial year and £12,703.67 in 2006/07. Through this project, an upland access team provided specialist skills in the construction of stone pitched footpaths and the restoration of eroded habitats.

I believe that effective management of access is crucial to landowners and visitors alike. I have therefore asked Environment and Heritage Service to commit a further £500,000 over three years to address some of the recommendations of the Mournes Access Study.

This will provide additional resources for developing and improving access facilities, providing better information for walkers and helping landowners deal with the problems they face.

Planning Proposal at the Giant's Causeway

Mr McGlone asked the Minister of the Environment to detail, including dates, all site or office meetings that have taken place in regard to the planning proposal at the Giant's Causeway. (AQW 568/08)

Mrs Foster: As with any major planning application, the Giant's Causeway proposal has been the subject of numerous meetings since it was submitted in 2002. The most significant of these have been as follows:

- A meeting of Planning Service Management Board on 11th April 2002 at which a decision was taken to apply Article 31 of the Planning Order to this application (Article 31 was applied on grounds that the proposal would impact on the whole of a neighbourhood and would be of significance to the whole or a substantial part of Northern Ireland).
- A meeting on 6th September 2006 between Planning Service officials and a legal representative relating to technical details associated with the processing of the application.
- A meeting between Planning Service officials on 14th March 2007 to discuss the findings of their assessment of the planning application.

- A meeting of Planning Service Management Board on 17th May 2007 to consider a report and recommendation produced by Planning Service officials.
- A meeting between Planning Service officials and the applicant, Mr Sweeney, on 28th September 2007 to discuss a number of issues which I have identified as being worthy of further consideration. These issues, which are already a matter of public record, include:
 - the impact of the proposal on the World Heritage Site;
 - its ability to integrate into the landscape;
 - its relationship to other development in the area;
 - its relationship to the existing visitors centre.

Persistent Organic Pollutants

Mrs I Robinson asked the Minister of the Environment what is her assessment of how the principles of the Stockholm Convention on Persistent Organic Pollutants (POPs) have been incorporated into legislation in Northern Ireland. (AQW 583/08)

Mrs Foster: Within the European Community, requirements of the Stockholm Convention have been implemented through Regulation EC 850/2004 on Persistent Organic Pollutants. This regulation is binding in all member states. Additional UK regulations (The Draft Persistent Organic Pollutants Regulations 2007) have been prepared and are due to come into force in November 2007.

These regulations will enforce Regulation (EC) 850/2004 and designate DoE as the Competent Authority for Northern Ireland. The main provisions relate to restricting the marketing and use of specified substances, treatment of stockpiles and disposal of waste containing POPs. Measures and strategies to reduce levels of POPs in the environment are also set out in the UK National Implementation Plan, published in April 2007.

Giant's Causeway Visitors' Centre

Mr McKay asked the Minister of the Environment to outline the major concerns of the Environment and Heritage Service in relation to the private application for a visitors' centre at the Giant's Causeway; and what assessment the Water Management Unit has made of whether or not there is the appropriate waste water treatment infrastructure to deal with this proposed development. (AQW 585/08)

Mrs Foster: Environment and Heritage Service commented on the planning application from Seaport

Investments Ltd for a Visitor Centre at the Giant's Causeway in a letter dated 20 December 2002.

EHS's comments centred on:

- (i) the impact of the development on the landscape character and quality of the World Heritage Site and its setting; and
- (ii) the ability of the development to offer a high quality visitor experience.

In 2004, the Water Management Unit of EHS examined the Environmental Statement submitted in support of the application. In its response to Planning Service EHS highlighted that:

- (a) the Waste Water Treatment Works (WWTW) at the Giant's Causeway was already overloaded and would not have the capacity to deal with the flows arising from the development;
- (b) the WWTW at Bushmills might not have sufficient hydraulic capacity to deal with the volumes of waste water from the development. I understand that new wastewater treatment facilities to serve the area are planned.

Nuisance Trees and High Hedges

Mr K Robinson asked the Minister of the Environment what plans she has to carry out a further consultation process, to inform the debate surrounding the long-standing issue of nuisance trees and high hedges. (AQW 661/08)

Mrs Foster: I am aware that this is an issue of widespread concern and I am keen to bring forward legislation as soon as possible, starting with a policy consultation on the detailed operation of the legislation. However, the timing will be subject to consideration of other competing priorities.

Green Areas

Mr D Bradley asked the Minister of the Environment to detail the number of housing developments in Northern Ireland that provide the 10% green area required under Policy OS2 of Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation, managed by (a) the Greenbelt Foundation; (b) the Woodland Trust; (c) local councils; (d) residents' groups; and (e) any other group or company. (AQW 706/08)

Mrs Foster: Since the introduction of Planning Policy Statement (PPS) 8: Open Space, Sport and Outdoor Recreation in February 2004 Planning Service has determined approved around 4000 applications for residential development in urban

areas. Where these applications relate to proposals for 25 units or more or sites of 1 hectare or more there is a requirement under PPS 8 policy OS2 to provide an area of public open space of a least 10% of the overall site area. Developers are required to put in place suitable arrangements to ensure management and maintenance of areas of open space. It is standard practice to require open space to be provided. This would be dealt with either by a planning condition or an Article 40 agreement and in some cases both.

The only means of detailing the number of applications where PPS 8 Policy OS 2 was relevant and the maintenance arrangements put in place for each would be to manually search individual files across all Planning Service Divisional Offices. This would involve a disproportionate amount of time and cost.

Greenbelt Foundation and the Woodland Trust

Mr D Bradley asked the Minister of the Environment to detail whether or not the Greenbelt Foundation and the Woodland Trust are charitable trusts registered by the Charity Commission, as required by Policy OS2 of Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation, page 22, section 5.19. (AQW 707/08)

Mrs Foster: A check of the Charity Commission's register for England and Wales on Friday 5 October 2007 showed that The Woodland Trust was registered and the Greenbelt Foundation was not.

Strategic Environmental Assessment

Mr Shannon asked the Minister of the Environment to detail the implications of the recent High Court judgement relating to Strategic Environmental Assessment of the draft Magherafelt Area Plan and Northern Area Plan, with particular reference to future area plans for the (i) West Tyrone; (ii) Armagh; and (iii) Ballymena, Antrim and Larne areas. (AQW 708/08)

Mrs Foster: I have noted the judgement of the Court in respect of the Judicial Review of the Strategic Environmental Assessments for the Draft Northern Area Plan and the Draft Magherafelt Area Plan. My Department is currently considering the judgment and its implications, including those for future plans, in consultation with our legal advisors in preparation for a remedies hearing on the 8 or 9 November 2007. A date will be set for the similar challenge to the Strategic Environmental Assessment for the Draft Banbridge Newry and Mourne Area Plan following this. Until the issue of remedies has been determined the three draft

Area Plans remain as material considerations in the determination of planning applications within their respective areas.

My Department is not in a position to comment on the potential implications for future plans until the outcome of the ongoing legal proceedings is known.

The draft Belfast Metropolitan Area Plan is not the subject of a legal challenge.

Strategic Environmental Assessment

Mr Shannon asked the Minister of the Environment to detail the implications of the recent High Court judgement relating to Strategic Environmental Assessment of the draft Magherafelt Area Plan and Northern Area Plan, with particular reference to (i) the Magherafelt Area Plan; (ii) the Northern Area Plan; (iii) the draft Belfast Metropolitan Area Plan; and (iv) the draft Banbridge and Newry and Mourne Area Plan. (AQW 709/08)

Mrs Foster: I have noted the judgement of the Court in respect of the Judicial Review of the Strategic Environmental Assessments for the Draft Northern Area Plan and the Draft Magherafelt Area Plan. My Department is currently considering the judgment and its implications, including those for future plans, in consultation with our legal advisors in preparation for a remedies hearing on the 8 or 9 November 2007. A date will be set for the similar challenge to the Strategic Environmental Assessment for the Draft Banbridge Newry and Mourne Area Plan following this. Until the issue of remedies has been determined the three draft Area Plans remain as material considerations in the determination of planning applications within their respective areas.

My Department is not in a position to comment on the potential implications for future plans until the outcome of the ongoing legal proceedings is known.

The draft Belfast Metropolitan Area Plan is not the subject of a legal challenge.

Review of Public Administration

Mr Peter Weir asked the Minister of the Environment to provide a timescale for announcing the outcome of the current review of the decisions of the Review of Public Administration relating to local government. (AQW 765/08)

Mrs Foster: The Executive initiated a review of local government aspects of the Review of Public Administration on 5 July.

I had hoped that it would be possible to complete the Review within the calendar year 2007, but the

volume of work currently being undertaken by the Executive has created a short delay.

It is expected that the Executive should be in a position to announce its decisions to the Assembly and the public in January 2008.

FINANCE AND PERSONNEL

Civil Partnerships

Mr Butler asked the Minister of Finance and Personnel to detail the number of civil partnerships that have taken place since the introduction of the Civil Partnership Act, broken down by district council area. (AQW 569/08)

The Minister of Finance and Personnel (Mr P Robinson): The attached table gives the number of civil partnerships registered in Northern Ireland by District Council Area of registration between December 2005 and June 2007.

TABLE: NUMBER OF CIVIL PARTNERSHIPS REGISTERED IN NORTHERN IRELAND BETWEEN 5 DECEMBER 2005 AND 30 JUNE 2007 BY DISTRICT COUNCIL OF REGISTRATION

Registration Area ¹	Number of Civil Partnerships Registered ^P
Belfast	109
Derry	15
Newry & Mourne	11
North Down	8
Lisburn	6
Down	5
All Other Districts ²	25
Northern Ireland	179

¹ These data represent the locations where civil partnerships were registered. They do not necessarily reflect where either partner lived and will contain partnerships of some people who lived outside Northern Ireland.

² There were fewer than five civil partnerships registered in each of the other council areas.

^P Provisional Data.

Civil Service Injury Benefits Scheme

Mr Weir asked the Minister of Finance and Personnel to detail the average length of time between the lodging of an appeal against a decision in respect of the Civil Service Injury Benefits Scheme (NI) and the outcome of the appeal being issued. (AQW 607/08)

Mr P Robinson: The average length of time, over the 3 financial years ending on 31 March 2007, between the lodging of an appeal, in respect to either of the two stages of internal dispute resolution, against a decision in respect of the Civil Service Injury Benefit Scheme (Northern Ireland) and the outcome of the appeal being issued is 2.8 months.

Civil Service Injury Benefits Scheme

Mr Weir asked the Minister of Finance and Personnel to detail the number of decisions that have been made on appeals in respect of the Civil Service Injury Benefits Scheme (NI), in each of the last three years. (AQW 608/08)

Mr P Robinson: The table below provides the number of decisions made on appeals lodged at both stages of the appeals procedures in respect of the Civil Service Injury Benefit Scheme (Northern Ireland) for the last 3 financial years ending on 31 March each year.

	1/4/2004 – 31/3/2005	1/4/2005 – 31/3/2006	1/4/2006 – 31/3/2007	Totals
Number of decisions made in respect of CSIBS (NI) cases	Stage 1 IDR cases: 30	Stage 1 IDR cases: 62	Stage 1 IDR cases: 69	Stage 1 IDR cases: 161
	Stage 2 IDR cases: 5	Stage 2 IDR cases: 17	Stage 2 IDR cases: 25	Stage 2 IDR cases: 47

Note: IDR refers to Internal Dispute Resolution procedures in which there are two stages

Civil Service Injury Benefits Scheme

Mr Weir asked the Minister of Finance and Personnel to detail the number of appeals lodged against decisions made in respect of the Civil Service Injury Benefits Scheme (NI), in each of the last three years. (AQW 609/08)

Mr P Robinson: The table below provides the number of appeals lodged at both stages of the appeals procedures in respect of the Civil Service Injury Benefit Scheme (Northern Ireland) for the last 3 financial years ending on 31 March each year.

	1/4/2004 – 31/3/2005	1/4/2005 – 31/3/2006	1/4/2006 – 31/3/2007	Totals
Number of appeals lodged in respect of CSIBS (NI) cases	Stage 1 IDR cases: 40	Stage 1 IDR cases: 59	Stage 1 IDR cases: 62	Stage 1 IDR cases: 161
	Stage 2 IDR cases: 7	Stage 2 IDR cases: 23	Stage 2 IDR cases: 34	Stage 2 IDR cases: 64

Note: IDR refers to Internal Dispute Resolution procedures in which there are two stages

Civil Service Injury Benefits Scheme

Mr Weir asked the Minister of Finance and Personnel if he will confirm that no officials who were involved in an original decision of a Civil Service Injury Benefits Scheme (NI) are also involved in the appeal process in respect of the same benefit. (AQW 610/08)

Mr P Robinson: The appeals procedures in relation to the Civil Service Injury Benefit Scheme (Northern Ireland) are structured to ensure that each stage of the appeal is dealt with independently and that any official involved in the original determination takes no part in any stage of the appeal.

Public Sector Employment

Mr K Robinson asked the Minister of Finance and Personnel what steps he will take to address the level of public sector employment in East Antrim, where a level of only 10% exists, compared to a national constituency average of 20%, and 53% in the Belfast area. (AQW 714/08)

Mr P Robinson: I made a statement to the Assembly on 24 September 2007 outlining the Executive's agreement to initiate a time-bound review of policy on the location of public sector jobs in Northern Ireland. I intend to take further detailed proposals on the terms of reference for the review to the Executive shortly.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Medical Secretaries

Mr Burns asked the Minister of Health, Social Services and Public Safety to provide an explanation of why all medical secretaries in Northern Ireland were matched to Band 3 pay levels, regardless of experience, compared to 70% of medical secretaries in Wales and 80% of medical secretaries in Scotland, who were matched to Band 4 pay levels. (AQW 584/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): Not all medical secretaries in Northern Ireland have been through the full Agenda for Change implementation process, which is being completed by Health and Social Care employers in partnership with staff representatives. My officials are currently working with employers and staff representatives in an effort to finalise this process. It is unhelpful to make comparisons with band outcomes in other parts of the NHS at this stage. I am confident that when the implementation process is complete we will have reached a fair and appropriate rate of pay for the Medical Secretary jobs in Northern Ireland.

MRSA

Mr Shannon asked the Minister of Health, Social Services and Public Safety what action he is taking to address the number of MRSA cases in the Ulster Hospital. (AQW 589/08)

Mr McGimpsey: The Infection Prevention and Control Team in the Ulster Hospital has an active and ongoing programme of MRSA control. A comprehensive infection reduction plan for 2007-2008 has been produced and is being rolled out across the Trust.

This reduction plan contains the following significant elements: a monitoring programme of ward cleanliness; monitoring all multi-antibiotic resistant bacteria including MRSA; the appointment of a medical consultant microbiologist to provide medical leadership to the Infection Prevention and Control programme; a Trust-wide hand hygiene campaign targeting not only staff but also patients and the public; active auditing of hand hygiene practice at ward level with audit results being fed back to ward sisters for action; and display of hand washing posters. An extensive Infection Prevention and Control training programme is also under way.

Flu Jabs

Mr Shannon asked the Minister of Health, Social Services and Public Safety what action he is taking to promote flu jabs for the elderly and young people, over the winter period. (AQW 591/08)

Mr McGimpsey: The winter flu immunisation programme 2007/08 was launched on 1st October 2007 by the Chief Medical Officer and is targeted at those most in need and for whom it will be most effective. The elderly are targeted and young people who are deemed 'at risk' are also targeted. The full list includes:

- People over 65 years old - even if they feel fit and healthy
- Children and adults who suffer from any of the following:
 1. chronic heart conditions
 2. chronic chest conditions e.g. asthma
 3. chronic liver disease
 4. chronic kidney disease
 5. diabetes
 6. lowered immunity due to disease or treatment such as steroids or cancer therapy
 7. any other serious medical condition.
- Children who have previously been admitted to hospital with a chest infection

- Carers (who are the main carer for an elderly or disabled person) and people who live in a residential or nursing home.
- people with certain neurological conditions such as stroke, multiple sclerosis and inherited diseases of the nervous system.

GPs will be inviting patients in staged groups according to their level of risk. Everyone over 65 and young people within an 'at risk' category should expect to receive a letter of invitation from their GP surgery.

Information is provided on the DHSSPS website and local advertisement arrangements are in place across GP surgeries in Northern Ireland.

Flu Jabs

Mr Shannon asked the Minister of Health, Social Services and Public Safety what action he is taking, similar to that in the rest of the United Kingdom, to introduce flu jabs for young people who have asthma and diabetic health problems.

(AQW 592/08)

Mr McGimpsey: The winter flu immunisation programme 2007/08 was launched on 1st October 2007 and is targeted at those most in need and for whom it will be most effective. Those targeted include:

- People over 65 years old - even if they feel fit and healthy
- Children and adults who suffer from any of the following:
 1. chronic heart conditions
 2. chronic chest conditions e.g. asthma
 3. chronic liver disease
 4. chronic kidney disease
 5. diabetes
 6. lowered immunity due to disease or treatment such as steroids or cancer therapy
 7. any other serious medical condition.
- Children who have previously been admitted to hospital with a chest infection
- Carers (who are the main carer for an elderly or disabled person) and people who live in a residential or nursing home.
- people with certain neurological conditions such as stroke, multiple sclerosis and inherited diseases of the nervous system.

GPs will be inviting patients in staged groups according to their level of risk. Young people with asthma and diabetic health problems should expect to receive a letter of invitation from their GP surgery.

Asbestos-Related Illness

Mr Weir asked the Minister of Health, Social Services and Public Safety what action he is taking to provide medical help to people suffering from asbestos-related illness. (AQW 598/08)

Mr McGimpsey: Equality of access to health care services for all within Northern Ireland is a priority for my Department, and my officials continue to develop policy that will deliver modern high quality services to the whole population, including those suffering from asbestos-related illness.

In support of this aim I am fully committed to progressing the implementation of initiatives such as Developing Better Services and A Healthier Future: A Strategic Framework for Respiratory Conditions to deliver high quality services that meet the needs of the population of Northern Ireland. This will include health promotion awareness, as well as provision of the full range of primary, secondary and community care services appropriate to the respiratory and oncology illnesses commonly associated with asbestos exposure.

Hospitality and Entertainment Expenditure

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 290/08, to detail (i) what type of expenditure is included in the 'other' category; and (ii) the reasons for the increase in expenditure in this category, in the last year. (AQW 619/08)

Mr McGimpsey: Expenditure in the 'Other' or miscellaneous category covers payments for a range of miscellaneous expenditure items, including:

- Delegate fees
- Locum expenses for HSC Professionals attending Departmental meetings and working groups
- Locum travel costs
- Hotel reservations
- Christmas Cards
- Photocopying at events

Given the miscellaneous nature of the expenditure, it is not possible to make any meaningful comparison with expenditure under this heading in previous years.

Treatment for HIV/AIDS

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of people in Northern Ireland who are on the drugs cocktail treatment for HIV/AIDS; and what is the cost per year of this treatment. (AQW 625/08)

Mr McGimpsey: Our records show that in 2006, there were 230 individuals on antiretroviral therapy. The cost of antiretroviral therapy for that year was £1.7m.

AIDS

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of heterosexual people who have contracted AIDS; and to provide a breakdown of their age groups. (AQW 627/08)

Mr McGimpsey: Information is not available on the number of heterosexual or homosexual people who have contracted AIDS. However, information is available on the number of individuals diagnosed with AIDS whose first diagnosis was made in Northern Ireland and the probable route of their infection.

As of June 2007, the number of people who had contracted AIDS and whose probable route of infection was either as a result of sex between men or as a result of sex between men and women is given in the table below together with their age group at the time when AIDS was diagnosed.

Probable route of infection	Age Group			Total
	15-29	30-44	45+	
Sex between men	17	33	15	65
Sex between men and women	5	15	13	33

Source: HIV and AIDS Patient Data – New Diagnoses. HIV and STI Department, Health Protection Agency, Centre for Infections, London.

AIDS

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of homosexual people who have contracted AIDS; and to provide a breakdown of their age groups. (AQW 628/08)

Mr McGimpsey: Information is not available on the number of heterosexual or homosexual people who have contracted AIDS. However, information is available on the number of individuals diagnosed with AIDS whose first diagnosis was made in Northern Ireland and the probable route of their infection.

As of June 2007, the number of people who had contracted AIDS and whose probable route of infection was either as a result of sex between men or as a result of sex between men and women is given in the table below together with their age group at the time when AIDS was diagnosed.

Probable route of infection	Age Group			Total
	15-29	30-44	45+	
Sex between men	17	33	15	65
Sex between men and women	5	15	13	33

Source: HIV and AIDS Patient Data – New Diagnoses. HIV and STI Department, Health Protection Agency, Centre for Infections, London.

HIV

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the number of new cases of HIV in Northern Ireland, in each of the last 3 years. (AQW 629/08)

Mr McGimpsey: Information on the number of new cases of HIV in Northern Ireland in each of the last 3 years, is shown in the table below.

Year of diagnosis	Number of New Diagnoses
2004	62
2005	63
2006	57

Source: CDSC(NI) - HIV New Diagnoses Quarterly Surveillance Tables. UK data received to the end of June 2007.

Ambulance Response

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail the ambulance response times in the glens of Antrim area, since January 2007. (AQW 637/08)

Mr McGimpsey: The Northern Ireland Ambulance Service (NIAS) does not hold response data for the glens of Antrim. However, the monthly percentages for responses within the eight minute target to Category A (life threatening) calls in the Causeway and East Antrim areas are set out in the table below.

Month	Causeway / East Antrim Combined
January	40%
February	48%
March	48%
April	42%
May	54%
June	48%
July	51%

Month	Causeway / East Antrim Combined
August	51%
September	53%

Whiteabbey Hospital Site

Mr K Robinson asked the Minister of Health, Social Services and Public Safety what plans he has to redevelop the Whiteabbey Hospital site; and to give a timescale within which the medical facilities that are currently based on this site will be enhanced.

(AQW 660/08)

Mr McGimpsey: The *Developing Better Services* policy framework proposed, in conjunction with a rationalised network of 9 acute hospitals, a network of local hospitals, which included Whiteabbey Hospital, with facilities comprising inpatient assessment and rehabilitation for the elderly, day surgery, day procedures, outpatient services and complex diagnostics such as CT scans.

The Northern Health and Social Care Trust is currently developing a Stage 2 Outline Business Case which is expected to confirm the proposed service model. I expect submission of this Business Case in the Spring of 2008.

Until the Business Case has been appraised and approved by the Department it is not possible to provide a timescale for this specific redevelopment.

Accident and Emergency Waiting Times

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the number of occasions upon which patients waited longer than four hours for treatment at Accident and Emergency departments, in each of the last three years.

(AQW 664/08)

Mr McGimpsey: Information on the time that patients waited for treatment at Accident and Emergency departments has been collected centrally since the beginning of April 2007 only.

In the five months from April 2007 until August 2007 (the latest month for which information is available) 41,713 people waited longer than four hours from the time of arrival until the time when they left the Emergency Care Department.

Over this 5 month period there were 269,465 patients recorded as being seen in A&E Departments and Minor Injury Units. 15.5% waited longer than 4 hours to be treated.

A target has been set to ensure that 95% of patients are treated and discharged, or admitted to a ward, within four hours of arrival at A&E by March 2008. Progress towards this target is being closely monitored and my Department is supporting Trusts through a programme of reform and modernisation.

Cardiac Nursing Provision

Mr G Robinson asked the Minister for Health, Social Services and Public Safety to detail his department's expenditure on specialised cardiac nursing provision, broken down by Health and Social Services Board area, in each of the last five years. (AQW 665/08)

Mr McGimpsey: The cost of specialist cardiac nurses cannot be readily identified and could only be obtained at disproportionate cost but it is possible to provide the cost of all qualified nursing staff working within the cardiac surgery and cardiology specialties and in coronary care units and coronary intensive care. This information is given below.

HSS TRUST EXPENDITURE ON QUALIFIED NURSING STAFF WORKING IN CARDIAC SPECIALTIES, SHOWN BY THE BOARD IN WHICH THE TRUST IS LOCATED

Year	EHSSB £000's	NHSSB £000's	SHSSB £000's	WHSSB £000's
2002/03	8,552	2,283	1,210	1,092
2003/04	9,533	2,253	1,403	1,158
2004/05	9,847	2,233	1,588	1,128
2005/06	10,777	2,563	1,810	1,335

Notes:

1. Trusts located in one Board can provide services for the residents of another Board area. This is particularly the case for the Eastern Board area where its Trusts provide regional services.
2. The information was not collected from Trusts in the same detail for years prior to 2002/03 and the 2006/07 information is not yet available.

Age Limit for Purchasing Cigarettes

Mr McQuillan asked the Minister of Health, Social Services and Public Safety what plans he has to raise the legal age limit for purchasing cigarettes from 16 to 18, in light of the recent changes in England, Scotland and Wales. (AQW 668/08)

Mr McGimpsey: A 12-week public consultation exercise on raising the age of sale in Northern Ireland will be launched later this month. Any proposals to raise the age of sale will be brought before the Assembly as soon as possible after the responses to the consultation exercise have been evaluated.

Health Implications of Wi-Fi

Mr Shannon asked the Minister of Health, Social Services and Public Safety what plans he has to contact the European Environmental Agency, and the German and Austrian Health Ministers, in relation to the warnings they recently issued about the health implications of wi-fi. (AQW 685/08)

Mr McGimpsey: The Radiation Protection Division of the Health Protection Agency (HPA) provides government departments, including DHSSPS, and other bodies involved in radiological protection matters, with an independent, impartial and authoritative source of scientific advice on questions related to health effects from ionising and non-ionising radiations. The role of HPA in this regard includes maintaining an oversight of relevant international developments. HPA have asked the German Radiological Protection body - BfS (Bundesamt für Strahlenschutz / Federal Office for Radiation Protection) to clarify their position on wireless computer networks (WiFi). The advice from BfS is a recommendation and not a warning. BfS believes that precautionary measures are important and appropriate in view of the existing scientific uncertainties in relation to these relatively new technologies. A precautionary approach would be to avoid WiFi where wired technology could be used just as well. However, HPA emphasise that there is no consistent evidence to date that WiFi and WLANs adversely affect the health of the general population.

Health Implications of Wi-Fi

Mr Shannon asked the Minister of Health, Social Services and Public Safety to detail the insurance underwriter that is being used to guarantee that any health damage caused by wi-fi equipment will be fully compensated. (AQW 686/08)

Mr McGimpsey: Telecommunications is a reserved matter and falls under the Department of Business, Enterprise and Regulatory Reform (formerly DTI). Within the UK, telecommunications is a privatised and fully competitive industry that is subject to independent regulation by the Office for Communications (OFCOM). Wireless computer networks (WiFi), fall within the broad range of radio and wireless technologies used for communications which includes mobile phones and television. The Wireless Telegraphy Act 1949 requires that no radio equipment is installed or used in the UK except under the authority of a licence or otherwise exempted by OFCOM. OFCOM monitors all radio activity to ensure it complies with the relevant UK/EC legislation and other relevant regulations. There is no legal requirement for communications companies to have insurance cover for WiFi or other radio networks.

Current advice from the Health Protection Agency is that there is no consistent evidence to date that WiFi and WLANs adversely affect the health of the general population.

Expenditure on Irish language

Mr McCausland asked the Minister of Health, Social Services and Public Safety to detail his department's expenditure on (i) Irish language translations; (ii) publication of booklets and other literature in Irish; and (iii) Irish language advertisements, in each year between the devolution of power in December 1999 and the suspension of devolution in October 2002.

(AQW 703/08)

Mr McGimpsey: Due to the time elapsed, detailed records are no longer available to provide specific costs of translations and production of documents into Irish.

	Translation and publication costs	Placement of Irish adverts	Total
1999/2000	£17,604	NIL	£17,604
2000/2001	£59,742	£1,519	£61,261
2001/2002	£68,459	£51,364	£119,823
Totals	£145,805*	£52,883	£198,688

* Irish Translation figures include costs for Press releases, speeches and advert translations.

It should be pointed out, that the practice of placing adverts in Irish, and having Press releases translated into Irish has now ceased as announced on 1st October 2007.

Home-Start Armagh

Mr Boylan asked the Minister of Health, Social Services and Public Safety what plans he has to continue to extend funding from the Children and Young People's Fund to Home-Start Armagh, to enable it to continue to employ a co-ordinator for its outreach scheme.

(AQW 718/08)

Mr McGimpsey: The coordinator post in Home-Start Armagh will continue to be supported by the Department of Health Social Services and Public Safety through the Children's Fund component of the Children and Young People's Funding Package until March 2008. As you will be aware, Government spending plans after that date have yet to be finalised.

Regional Acquired Brain Injuries Unit

Mr D Bradley asked the Minister of Health, Social Services and Public Safety to confirm that the age

restriction of over 16 and under 65, which is part of the referral criteria applied by the Regional Acquired Brain Injuries Unit in Musgrave Park Hospital, is in keeping with Standard 1 of the National Service Framework for older people, which requires NHS services to be provided regardless of age, on the basis of need alone; and to give his assessment on whether or not this restriction of access to healthcare on the basis of age contravenes section 75 of the Northern Ireland Act 1998 and the Human Rights Act 1998. (AQW 731/08)

Mr McGimpsey: When I was made aware of the age restriction for the admission of patients to the Regional Acquired Brain Injury Unit (RABIU) on 4 October 2007, I instructed my Officials to immediately undertake a review of the RABIU admissions policy. Terms of Reference have been agreed and I have directed that the report should be completed by 19 October 2007. Compliance with Equality and Human Rights duties will be assessed as part of this review.

The National Service Framework for Older People is not applicable in Northern Ireland. However, work has commenced on the development of a range of service frameworks which will set out measurable standards that patients and users should expect within health and social care. These frameworks will take cognizance of Section 75 of the Northern Ireland Act 1998 and the Human Rights Act 1998. Further information on Service Frameworks can be accessed at <http://www.dhsspsni.gov.uk/index/phealth/sqs/sqsd-standards-service-frameworks.htm>

Firefighters

Mr G Robinson asked the Minister of Health, Social Services and Public Safety what plans he has to allow retained firefighters in Coleraine to transfer to full-time status; and to outline the process that must be followed in order to complete this transfer.

(AQW 794/08)

Mr McGimpsey: The Northern Ireland Fire and Rescue Service advises that it has no plans to provide for the direct transfer of Retained Firefighters into the Wholetime Service.

As has been the recruitment practice for many years, all Retained Firefighters have to apply for Wholetime firefighter positions in exactly the same manner as external candidates through stringent aptitude tests and, if successful, a structured interview followed by a medical examination.

This process is equitable and fair, and is also a fundamental requirement to ensuring that the Northern Ireland Fire and Rescue Service's recruitment policy meets all relevant statutory obligations with regard to equality of opportunity.

Registered Childminders

Mr K Robinson asked the Minister of Health, Social Services and Public Safety to detail the average time taken from the date of application to be registered as a childminder, to the registration being granted; and to provide overall registration figures for last year, broken down by Health and Social Care Trust. (AQW 796/08)

Mr McGimpsey: The Health and Social Care Trusts are responsible for registering childminders and day care providers. At 31 March 2006, 3,627 childminders were registered with local Health and Social Care Trusts. Statistics for the average time taken for applications to be registered and the number of childminders registered last year are not held centrally.

Medical Secretaries

Ms Anderson asked the Minister of Health, Social Services and Public Safety to give an update on the possible industrial action by workers at Altnagelvin Hospital; and what is his assessment of the recommendations of the independent panel established to assess the pay of medical secretaries and to encourage the local health trusts to take all possible steps to avoid industrial action at the hospital. (AQW 877/08)

Mr McGimpsey: The process for moving medical secretaries on to Agenda for Change rates of pay is not yet complete. Staff will only be moved to the new rates of pay when there is a partnership agreement between the Health and Social Care employer and the staff representatives. Management in the Altnagelvin Hospital are working in partnership with staff representatives to finalise the Agenda for Change implementation process. Staff representatives have now agreed to postpone the industrial action to allow this process to continue. I have instructed all Health and Social Care employers that I expect them to have the Agenda for Change matching process completed by the end of December 2007 and that all staff should be in receipt of the new rates of pay by 31 March 2008.

REGIONAL DEVELOPMENT

Belfast to Dublin Rail Link

Mr Storey asked the Minister for Regional Development, pursuant to his answer to AQW 45/08, to outline the nature of the work carried out by Northern Ireland Railways to achieve effective community relations on the Belfast to Dublin rail link; and what is his assessment of this work. (AQW 373/08)

The Minister for Regional Development (Mr

Murphy): In order to achieve effective community relations on the Belfast to Dublin rail link, Northern Ireland Railways has an ongoing and long-standing programme of engagement, support and joint activity programmes. This includes consultation with local representatives and community groups along the cross-border line together with a programme of visits to schools in the area. It also has a high level of engagement with local newspapers and other media.

I am content that NIR is working effectively to engender positive community relations around the Belfast to Dublin rail link.

Review of Road and Rail Infrastructure

Mr Storey asked the Minister for Regional Development, pursuant to his answer to AQW 43/08, to detail the frequency with which the measures he outlined will be subject to review, and what targets his department has set for improved competitiveness against the Republic of Ireland. (AQW 375/08)

Mr Murphy: The mid-term review of the Regional Transportation Strategy will review all our transportation measures. Progress on implementing the Regional Transportation Strategy is monitored on a yearly basis.

My Department has not set targets for competitiveness with other administrations, either on the island of Ireland or elsewhere in these islands.

Belfast to Dublin Rail Link

Mr Mervyn Storey asked the Minister for Regional Development, pursuant to his answer to AQW 44/08, if he will explain why he has not met with the PSNI in relation to security threats to the Belfast to Dublin rail link; and if he will (i) meet with the PSNI on this matter without delay; and (ii) make a statement to the Assembly regarding the security of the Belfast to Dublin rail link and the level of co-operation between his department and the PSNI on this matter. (AQW 376/08)

Mr Murphy: Assessing the level of threat to the Belfast to Dublin rail link is a matter for the PSNI. During the last six months senior operational managers from NIR have met with senior divisional officers from PSNI on 6 occasions. I have not met with the PSNI to discuss this security threat as I am content that sufficient cooperation exists between the railway operators and the police. I am not aware of any raised level of security threat, at present, that would necessitate a meeting between myself and PSNI.

I do not intend to make a statement to the Assembly regarding the security of the Belfast to Dublin rail link. However, I am satisfied that there is good cooperation between NIR and the PSNI on matters relating to the security of the line.

Roads Service's Moratorium on Expenditure

Mr McGlone asked the Minister for Regional Development, pursuant to his response to AQW 89/08, what detail he has since sought from Roads Service Headquarters in relation to this matter. (AQW 389/08)

Mr Murphy: I can advise that I am updated regularly by my Departmental officials on expenditure matters.

I should explain that the financial contingency plan, developed by my Department's Roads Service, addresses potential issues within the capital budget which will be reassessed in light of DFP's quarterly budget review, the outcome of which should be known by late October/early November. The plan is a work in progress and does not currently have a significant impact on the roads programme.

Divisional Roads Managers have been briefed on the position and have been advised to press ahead with the implementation of their capital programme maintaining a close liaison with Roads Service Headquarters on commitments.

There are several exceptions within this approach comprising two carriageway widening schemes totalling around £3 million, on the A28 at Edenaveys and the A5 at Castletown, which were deferred earlier in the financial year.

I must emphasize that the number of schemes affected and the extent of any delays will be dependent upon the outcome of the October Monitoring Round. I am therefore not in a position to provide more detail at this time.

Roads Service's Moratorium on Expenditure

Mr McGlone asked the Minister for Regional Development, pursuant to his response to AQW 89/08, to detail the capital, or other roads schemes and budgets, affected by the 'contingency plan'; and the delays associated with, and financial extent of, the cutbacks to those schemes and budgets. (AQW 390/08)

Mr Murphy: I can advise that I am updated regularly by my Departmental officials on expenditure matters.

I should explain that the financial contingency plan, developed by my Department's Roads Service, addresses potential issues within the capital budget which will be reassessed in light of DFP's quarterly budget review, the outcome of which should be known by late October/

early November. The plan is a work in progress and does not currently have a significant impact on the roads programme.

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I must emphasize that the number of schemes affected and the extent of any delays will be dependent upon the outcome of the October Monitoring Round. I am therefore not in a position to provide more detail at this time.

Residents' Parking Schemes

Dr Farry asked the Minister for Regional Development to provide an update on the formulation of a policy on residents' parking schemes, and to give a timescale for the introduction of the initial pilots. (AQW 446/08)

Mr Murphy: The draft policy on the implementation of Residents' Parking schemes was the subject of a full public consultation exercise between November 2006 and February 2007.

In total, sixty-three written replies and over five hundred pre-printed postcards were received in response and my Department's Roads Service considered each in detail.

The final draft version of the policy and a draft report on the consultation process has been referred to the Regional Development Committee for scrutiny. Officials from Roads Service also gave a presentation to the Committee on 5 September 2007, and I am awaiting the Committee's formal response.

Roads Service intends to start work developing schemes as soon as the policy is finalised. However, I am advised that it may be six to twelve months before the first schemes will be on the ground due to the local consultation and legislative processes that have to be followed.

Currently the pressure to deliver schemes is largely in the Belfast area and initially Roads Service will concentrate on developing potential schemes in the Belfast City Centre core parking area, as identified in the Belfast Metropolitan Transport Plan. Surveys are also underway in Derry, with a number of areas currently being assessed, with a view to developing schemes there.

Former MOD Sites

Mr G Robinson asked the Minister for Regional Development, pursuant to his answer to AQW 134/08, to advise whether or not former MOD sites are considered by his department to have roads of adoption standard; and, if requested, whether or not he will undertake to adopt these roads. (AQW 466/08)

Mr Murphy: My Department's Roads Service have advised that it does not maintain records of the condition of roads in former MOD sites and therefore is not aware of whether any such sites have roads of adoption standard.

As I advised in my previous reply on this issue (AQW 134/08), sites can be considered for adoption under Article 9 of the Private Streets (Northern Ireland) Order 1980 as amended, where:

- the majority of landowners or occupiers so request it;
- the roads or streets are first brought up to adoption standard, normally at the expense of the landowners or occupiers; and
- the Department is of the opinion that the street should become a public road.

Roads Maintenance

Mr Beggs asked the Minister for Regional Development what steps he is taking to reduce the corporate risk to his department and the Northern Ireland Executive, due to inadequate funding allocated to roads maintenance, as indicated in the Roads Service Annual Report and Accounts 2006/07. (AQW 496/08)

Mr Murphy: My Department's Roads Service endeavours to ensure that maintenance resources are targeted in a manner that optimises value for money and minimises risks to road users.

In line with my Department's Risk Management Policy, Roads Service operates a system of internal control, which is based on an ongoing risk management process. This identifies the principal risks associated with the achievement of Roads Service policies, aims and objectives, along with the controls in place to manage those risks. One of the risks identified on Roads Service's Corporate Risk Register is the shortfall in the funding for structural maintenance.

In recognition of the need to manage this under-funding, Roads Service has developed a sub-optimal budget strategy. The strategy measures fall short of desired resurfacing frequencies, but aim to protect the public liability position. The strategy concentrates on giving priority to resurfacing motorways and trunk roads, so that patching is only carried out where it is necessary for safety reasons. The strategy also involves minimising footway expenditure, while ensuring that

the Department maintains these assets in accordance with its statutory duty, and maximising surface dressing.

In support of this strategy, Roads Service undertakes a series of regular inspections and condition surveys, to ensure the road network is maintained to defined standards and that serious road defects are detected and repaired. These arrangements, together with the experience and professional judgement of the Roads Service engineers, ensure that roads remain safe and do not fall below satisfactory and serviceable levels.

Expenditure on Consultants

Mr Beggs asked the Minister for Regional Development to detail Roads Service's expenditure on consultants employed in the preparation pool work for future capital road schemes, during 2005/06 and 2006/07. (AQW 497/08)

Mr Murphy: In 2005/06 and 2006/07 a total of £7.0 million and £8.4 million respectively was spent on consultants developing future roads schemes within Roads Service's Major Works Programme.

Typically this work includes:

- Route Corridor Study;
- Selection of Preferred Route;
- Public Consultation;
- Environmental Statement;
- Economic Appraisal;
- Progression through Statutory Orders/Public Inquiries;
- Detailed Design; and
- Contract Procurement.

Road Network Survey Results

Mr Beggs asked the Minister for Regional Development to advise of the most recent road network survey results, in particular the results from SCRIM tests that assess the skid resistance of the road surface; and to detail those roads in Northern Ireland that are below the recommended level for skid resistance. (AQW 498/08)

Mr Murphy: My Department's Roads Service constantly strives to improve road safety standards on our roads. One means of achieving this is to ensure that roads have a satisfactory level of skidding resistance. This reduces the risk of uncontrolled skids and improves braking efficiency. Roads Service has a programme of measuring skidding resistance using the SCRIM (Sideways-Force Coefficient Routine Investigation Machine) and reports annually on the percentage of

the network which is equal to or below the relevant investigatory level.

The most recent survey results available indicate that some 3.6% of the motorway network and around 43% of the trunk road network are at or below the national skidding resistance investigatory level. However, it is important to note that a road with a skidding resistance below the investigatory level is not necessarily unsafe; it simply means that there is a need for further investigation, to determine the need for maintenance if appropriate. Roads Service engineers carry out these investigations on all roads that are found to be below the investigatory level and arrange remedial work, where necessary.

In view of the way in which the results are presented, it is difficult to provide a detailed listing of all road sections that are at or below the 'investigatory level'. However, if there are concerns about specific locations, the local Roads Service Section Office will be able to provide the relevant SCRIM results. Details of local Section Offices can be found at the Roads Service website www.roadsni.gov.uk

Land at the Ulster Bar Corner, High Street, Antrim.

Mr Burnside asked the Minister for Regional Development to give an update on the current status of land at the Ulster Bar Corner, High Street, Antrim. (AQW 510/08)

Mr Murphy: The land at Ulster Bar Corner is owned by the Northern Ireland Transport Holding Company. The site is currently unoccupied. Translink have declared that they have no long term operational need for the land. NITHC have undertaken to prepare a business case for its disposal subject to the approval of my Department.

Pedestrian Crossings

Mr W Clarke asked the Minister for Regional Development if he will consider the installation of specialised buttons for the disabled and the elderly, to allow extra time to cross at pedestrian crossings. (AQW 515/08)

Mr Murphy: My Department's Roads Service has advised that it follows advice from the Department for Transport in Great Britain in relation to the provision of traffic signal equipment and the time which is allocated to cross at pedestrian crossings.

In order to assist the visually impaired, Road Service has an ongoing programme of installing tactile paving, tactile cones and also the use of audible signals where

this is appropriate. At pelican crossings, the 'green man' period is an invitation to cross, and once the 'green man' time has expired, there is still a 'clearance' period during which the pedestrian has right of way to complete crossing the road.

Roads Service is currently looking at the development of puffin crossings (an extension of the pelican crossing), a feature of which would be an on-crossing detector, which would detect pedestrians crossing the road and, if required, extend the crossing time as necessary up to a pre-set maximum.

Bypass for Ballynahinch, Co. Down

Mr W Clarke asked the Minister for Regional Development if he will make a statement on the timetable for the proposed bypass for Ballynahinch, Co. Down. (AQW 516/08)

Mr Murphy: The Ballynahinch Bypass scheme is included in the Forward Planning Schedule of my Department's Regional Strategic Transport Network Transport Plan 2015, which was published in March 2005. These schemes are expected to be implemented within the next 5-10 years, subject to clearing the necessary statutory procedures, a satisfactory economic appraisal and the availability of funds at the time.

Work is currently underway to confirm the feasibility of this scheme and develop the design in preparation for progressing it through the statutory procedures.

While the consultant's work is progressing well, with extensive traffic studies and work in preparation for an environmental impact assessment complete, I am not in a position at this time to advise when the scheme might commence.

Road Upgrade

Mr Burns asked the Minister for Regional Development to give a timescale within which the proposed scheme to upgrade the road in the residential street 'Bramblewood' in Crumlin (BT29 4FQ) will commence; and to detail when this road will be adopted by Antrim Borough Council. (AQW 518/08)

Mr Murphy: My Department's Roads Service has advised me that, while the streets in Bramblewood have been substantially complete for a number of years, adoption has been delayed due to the presence of service strip infringements and large scale sewer defects, including pipe settlement.

The private dwelling sewer connections have been repaired and, in October 2006, residents removed service strip infringements.

Roads Service issued a Notice to the developer under Article 11 of the Private Streets (NI) Order 1980 on 30 October 2006, to have the work completed and streets adopted. The large volume of sewer work requires employing a Northern Ireland Water (NIW) contractor to carry out these repairs.

NIW has advised that the sewers at Bramblewood were not constructed to a satisfactory standard in 1992 to enable Water Service to adopt them. At that time, the developer was advised of the remedial works that would be required to bring the sewers up to adoption standard. The remedial works were not undertaken by the developer and the condition of the sewers has deteriorated since 1992.

NIW is considering the use of its contractor to undertake the work, subject to the availability of funding, but is not yet in a position to estimate when work will commence. The Chief Executive of NIW will write to you when a decision has been made.

Roads Service is currently liaising with NIW and once the sewers have been brought to the necessary standard, Roads Service will employ a roads contractor to complete the streets for adoption.

Water Pressure

Mrs D Kelly asked the Minister for Regional Development what plans Water Service NI has any plans to remedy water pressure difficulties in the Derrytrasna/Derryinver area. (AQW 552/08)

Mr Murphy: I have been advised by Northern Ireland Water that a number of complaints about poor water pressure were received from residents of the Derrytrasna area on Monday 24 September 2007. Investigations undertaken to determine the source of the problem discovered a malfunctioning water pressure regulating valve in the Highfield area of Craigavon. A replacement valve was installed on 2 October 2007 and the water pressure to the Derrytrasna and Derryinver areas returned to normal.

Traffic Management Review

Mr W Clarke asked the Minister for Regional Development if he will authorise a traffic management review in Castlewellan, Co. Down, in view of the housing and commercial development which has taken place in the town. (AQW 555/08)

Mr Murphy: My Department's Roads Service is fully aware of the general traffic management needs for Castlewellan. Monitoring and assessment of the town is a continual process as development occurs within the area.

In recent years, Castlewellan has benefited from a number of traffic improvements, including:

- high friction surfacing and pedestrian guard rail at Upper Square;
- extension of 30 mph limit at Bunker's Hill / Drumee Road;
- bus lay-by at Upper Square, Castlewellan;
- dropped kerbs and tactile paving at Upper Square / Circular Road; and
- addition of the 40mph limit on the Bann Road.

A request for another pedestrian crossing in Main Street has been recently received and assessed by Roads Service. It is hoped that this will be provided in 2008.

I am aware that you recently wrote to Roads Service regarding the speed limits on the A50 Bann Road, Castlewellan. The introduction and extension of speed limits are subject to certain criteria and are assessed jointly by Roads Service and the PSNI. A recent examination of the Bann Road limits has revealed that the 30 mph limit is in the correct position; however it would be possible to extend the 40 mph limit. Roads Service will pursue the necessary legislative process, including a consultation period during which objections may be made, with a view to facilitating the extension of the 40 mph limit.

Parking Tickets

Mr McKay asked the Minister for Regional Development to detail the number of parking tickets that have been issued on Victoria Street, Ballymoney, since Roads Service assumed responsibility for parking enforcement, broken down by month. (AQW 599/08)

Mr Murphy: Since my Department's Roads Service became responsible for on-street parking enforcement on 30 October 2006, a total of eleven Penalty Charge Notices have been issued at Victoria Street, Ballymoney. The monthly break-down is as follows:

Month	Number of Parking Tickets Issued
November 2006	1
December 2006	1
January 2007	3
February 2007	0
March 2007	3
April 2007	0
May 2007	0
June 2007	1
July 2007	1

Month	Number of Parking Tickets Issued
August 2007	0
September 2007	2

Road-Humps

Mr McKay asked the Minister for Regional Development to detail the number, and locations, of road-humps that have been installed in the North Antrim constituency in (i) 2001/02; (ii) 2002/03; (iii) 2003/04; (iv) 2004/05; (v) 2005/06; and (vi) 2006/07. (AQW 600/08)

Mr Murphy: The number and locations of road-humps that have been installed in the North Antrim constituency between 2001 and 2007, by my Department's Roads Service, are detailed in the table below.

Year	Scheme Details
2001/02	23 in an area wide scheme in Tobar Park/Kimakevitt, Cullybackey 20 in an area wide scheme in Glebeside, Ballymoney 1 was installed at the junction of Ann Street and Station road, Ballycastle
2002/03	35 in an area wide scheme in Ballee, Ballymena
2003/04	36 in an area wide scheme in the Glendun, Doury Road, Dunvale and Dunclug area of Ballymena 18 in an area wide scheme in the Demesne, Ballymena 7 were installed in Altananam Park, Ballycastle
2004/05	3 in Ballymoney Street, Ballymena 15 in an area wide scheme in the Intermediate Road/ Armour Avenue, Ballymoney
2005/06	15 in an area wide scheme in Chichester Park, Ballymena 16 in an area wide scheme in Fisherwick, Warden Street, Suffolk Street, Ballymena 1 in Mill Street, Ballymena 5 in Princess Gardens, Cypress Park and Strand Park, Cloughmills
2006/07	1 in Lower Wellington Street, Ballymena 9 in Village/Royal Court, Gracehill, Ballymena

Largy Road Route Study

Mr McKay asked the Minister for Regional Development to detail the proposals of the Largy Road Route Study that have not yet been implemented; and to outline the work that has been carried out to date as a result of this study. (AQW 601/08)

Mr Murphy: My Department's Roads Service has confirmed that a 'Whole Route Study' was recently

completed on the B62, Largy Road. I understand a copy of the Study was forwarded to you for information.

As you will be aware, the Study identified a number of locations where it was considered that improvements would be beneficial. These were:

1. Aughnahoy Road – Vertical realignment to improve sight visibility and improve sight distance.
2. Largy Lounge – Vertical alignment to improve sight distance.
3. Casheltown Crossroads – Introduction of a one way system on the western leg of this road from the Largy Road towards Kilcurry Road to prevent access onto the Largy Road at this junction where sight lines are poor. Improvements to the sight lines at the junction of the Kilcurry Road and Casheltown Road.
4. Duffin's Bend – Improvements to the horizontal alignment to improve the sight distance, widening the existing verges and widening the existing road width.
5. Gillistown Road – Improvements to sightlines.
6. Chesney's Corner – Introduction of right turn lanes.
7. Kilnock Crossroads – Introduction of right turn lanes.

To date, the proposed improvements at the Gillistown Road Junction have been completed and the Casheltown Crossroads scheme is in the Minor Works programme for completion this financial year.

The remaining five scheme proposals are being assessed with a view to advancing to preliminary design stage and subsequent prioritisation within a works programme for Roads Service's Northern Division. Prioritisation will take account of the technical merit of each scheme, availability of funding, Council consultation as well as Road Service priorities.

The Study also proposed a number of enhancements to warning signage and road markings along this route. I am pleased to inform you that all the improvements to warning signage and road markings as detailed in the Study have now been completed.

Directional Signs

Mr McKay asked the Minister for Regional Development to detail the number of directional signs that Roads Service has erected to date, for (i) soccer club grounds; (ii) rugby club grounds; (iii) GAA club grounds; and (iv) other sports club grounds; and the number of these that have been fully funded by Roads Service. (AQW 602/08)

Mr Murphy: My Department's Roads Service facilitates the provision of directional traffic signs through its policies on "Directional Signage", and "Tourist Signing in Northern Ireland". Both policies,

were introduced in 2004, the latter being jointly developed and agreed with the Northern Ireland Tourist Board.

Unless designated by the Northern Ireland Tourist Board as a tourist attraction, public sports facilities owned and operated by local councils are not eligible for white-on-brown tourist signing. However, under the Directional Signage policy, sporting facilities, whether privately owned or operated by local councils, may be signed where:

- there is a clear road safety reason for doing so; or
- the facilities are hard to find and will generate a significant volume of traffic from outside the locality.

The following table details the number of directional signs to sporting facilities provided since the introduction of these policies:

Facility	No	Funded by Roads Service
Soccer Club Grounds	1	1
Rugby Club Grounds	6	0
GAA Club Grounds	0	0
Other Sports Club Grounds	30	0

I should advise that the majority of the signs provided to “Other Sports Club Grounds”, were for golfing facilities, which are considered under the tourist attraction policy.

It should also be noted that other facilities may have been signed before the adoption of these policies in 2004. Such signs will be allowed to remain in place until such times as they are in need of replacement.

Staff Team Building

Mr Moutray asked the Minister for Regional Development to detail the total cost of (i) away days; and (ii) staff team building exercises, in each of the last three years. (AQW 620/08)

Mr Murphy: The total cost in each of the years concerned was as follows:

Financial Year	Total Cost (£) *
2004/05	13,091
2005/06	4,814
2006/07	7,047
Total for Period	24,952

* Reflects expenditure on hire of venues and cost of guest speakers/ outside facilitators.

These figures do not cover agencies and NDPBs.

Road Improvements

Mr Donaldson asked the Minister for Regional Development if he will confirm the timescale for the commencement of works to provide improvements to the junctions of the Dromore Road, Hillsborough, and the Banbridge Road, Dromore, with the A1 dual carriageway. (AQW 646/08)

Mr Murphy: The proposals to upgrade the Dromore Road, Hillsborough and Banbridge Road, Dromore junctions with the A1 dual carriageway, included in the Regional Strategic Transport Network Transport Plan (RSTN TP) 2015, are being progressed through a Design Build Finance and Operate (DBFO) Package.

My Department's Roads Service is currently progressing the tendering process, for the procurement of this package of road projects, as a Public Private Partnership, and it is anticipated that the contract will be awarded before the end of October 2007.

The phasing of the construction of individual schemes within the overall DBFO package of schemes is a matter for the successful tenderer. However, current indications (from the Preferred Bidder) are that both schemes will commence in early 2008.

Executive Sub-Committee on Rural Planning

Mr McGlone asked the Minister for Regional Development if he can confirm the reason why, three months after its formation, there has been no meeting of the Executive Sub-Committee on Rural Planning. (AQW 647/08)

Mr Murphy: The Executive Committee on 5 July agreed to a review of rural planning policy, including the establishment of an Inter-Departmental Group of Ministers to take this matter forward. The first meeting of the Executive Sub-Committee on Rural Planning was scheduled for 10 September. However, given the uncertainty arising from the Judgement of the Judicial Review on PPS 14 delivered on 7 September, and its implications for Departments, this meeting was subsequently postponed. Work has however progressed with the stakeholders meetings on 29 and 30 August. The first meeting of the Executive Sub-Group will be held shortly.

Roads Service Traffic Watch

Mr Durkan asked the Minister for Regional Development what plans he has to extend the cameras available on the Roads Service Traffic Watch website, to locations outside Belfast. (AQW 653/08)

Mr Murphy: My Department's Roads Service has no plans at present, to extend the cameras available on the trafficwatch website to locations outside Belfast.

Speed Limit in School Zones

Mr McCartney asked the Minister for Regional Development what consideration he will give to implementing a 20mph speed limit in school zones; and to complementing its introduction with a '20 is plenty' advertising campaign. (AQW 681/08)

Mr Murphy: The imposition of speed limits generally at schools has been considered by both my Department's Roads Service and PSNI - who are responsible for enforcement. It is acknowledged that for perhaps 90% of the time, reduced speed limits at schools may be totally inappropriate for example at nights, weekends and holiday periods and experience has shown that inappropriate speed limits are ignored and may have the potential to bring speed limits, generally, into disrepute. I can confirm however, that Roads Service is planning to pilot a variable speed limit at 2 schools over the next year to measure their effectiveness. A variable speed limit at a school refers to a part-time speed limit e.g. 20mph, which is effective at certain times of the day (when children are arriving and leaving) and is indicated by a variable message sign on the approach to the school. The speed limit would be enforced by the police in the normal manner.

You may be aware that Roads Service, as part of its Safer Routes to Schools programme, has been working pro-actively with schools across the North to promote road safety at schools and on the journey to school. Since this initiative started in 2001, Roads Service has implemented a series of speed management measures at around 80 schools, to alert drivers to the presence of school children and to encourage them to drive responsibly.

In September 2006, Roads Service accelerated this initiative to focus more particularly on the introduction of speed management measures at rural schools where the national speed limit (60mph) applies. In 2007/08 Roads Service aims to introduce speed management measures at a further 60 schools, both urban and rural.

Roads Service has also undertaken educational campaigns in schools raising awareness of the benefits of walking and cycling to school safely.

In relation to the Twenty's Plenty advertising campaign, I understand that this initiative has been implemented in England and Scotland where "advisory" 20mph limits have been introduced in residential areas. I can confirm that a number of "advisory" 20mph zones have been introduced across the North together with many formal traffic calming schemes in a bid to reduce speed and reduce collisions and casualties on our roads.

SOCIAL DEVELOPMENT

First Time Home Buyers

Mr W Clarke asked the Minister for Social Development what steps she is taking to help first time home buyers. (AQW 556/08)

The Minister for Social Development (Ms Ritchie): The Co-ownership shared equity scheme administered by the Northern Ireland Co-ownership Housing Association remains the Department's main measure for assisting first time buyers. The scheme has successfully assisted over 19,500 households since its inception in 1978.

In addition Sir John Semple's report published in April 2007 has made a series of 80 recommendations. The wide scope of these recommendations shows that concerted action across organisational boundaries is necessary to improve the delivery of affordable housing across tenures. The Semple report devotes a full chapter to potential changes relating to the scheme to allow better use of public funding and to help reduce those on the waiting list for social housing.

In response I have set up an Interdepartmental Affordability Review Implementation Group, which I chair. The role of the Interdepartmental Group is to agree and deliver on an affordability implementation plan through determining which of the Semple recommendations are acceptable and developing an implementation plan by Christmas 2007. I have also set up an Advisory Panel of Experts to assist the Interdepartmental Group by assessing the departmental responses to the Semple recommendations, highlighting and advising on any improvement or alternative approaches or timescales that could or should be applied. This will include potential improvements to the scheme in light of the Semple report.

The sale of social houses to sitting tenants through the House Sales Scheme also makes a contribution in assisting first time buyers into home ownership.

Child Support Agency

Mr Shannon asked the Minister for Social Development to detail the number of applications to the Child Support Agency that are exclusively dealt with in Northern Ireland, and the number that are dealt with in Great Britain. (AQW 564/08)

Ms Ritchie: The total number of applications exclusively dealt with by the Northern Ireland Child Support Agency is 221,435. Of these applications, 45,924 are from Northern Ireland customers and the remainder relate to applications from customers in the Eastern area of Great Britain.

In Great Britain the total number of applications to the Child Support Agency is 876,766. This figure excludes 175,511 cases which are from Eastern area of Great Britain customers and therefore dealt with by the Northern Ireland Child Support Agency.

Child Support Agency

Mr Shannon asked the Minister for Social Development to detail the number of applications to the Child Support Agency that resulted in payments being issued to the parent with care, within (i) one month; (ii) three months; (iii) six months; (iv) twelve months; and (v) eighteen months or more.

(AQW 566/08)

Ms Ritchie: In the last 18 months, from February 2006, the Agency has calculated maintenance on 3,404 applications. A first payment was issued to the parent with care in 1,556 of these cases. Of this total:

- 3 were cleared within one month
- 119 were cleared within 3 months
- 592 were cleared within 6 months
- 702 were cleared within 12 months, and
- 140 were cleared within 18 months.

Child Support Agency

Mr Shannon asked the Minister for Social Development what steps she is taking to ensure the quick turnaround of applications to the Child Support Agency.

(AQW 567/08)

Ms Ritchie: The Child Support Agency reviews its internal working practices on an ongoing basis. The information provided by the Computer System is now more accessible and allows managers to prioritise and target specific workloads to ensure a quick turnaround of applications.

As part of its operational improvements, there are plans for additional organisational changes linked to IT enhancements which should lead to further improvements in the speed of processing new applications.

Social Housing

Mr W Clarke asked the Minister for Social Development if she will make a statement on the provision of social housing in South Down.

(AQW 587/08)

Ms Ritchie: Growing demand has been identified in Warrenpoint, Kilkeel, Rostrevor, Downpatrick, Ballynahinch, Newcastle, Castlewellan and Crossgar. In all of these areas, land for social housing has been

very difficult to acquire due mainly to high cost and competition from the private sector.

During 2006/07, 30 homes at Bridal Loanan, Warrenpoint and one at Dunwellan Park, Newcastle were completed and a scheme at Bryansford Road for 12 supported units of accommodation commenced on site. A scheme at Windmill Drive, Ballynahinch is due to complete this year delivering a further 12 general needs units.

Housing Associations are actively seeking sites in areas where housing need has been identified and the Housing Executive is continually reviewing its own land holdings and working with others to try to identify suitable development opportunities.

The 5 year Social Housing Development Programme is currently being rolled forward this year and the programme for 2008/09 – 2012/13 is due to be published in January 2008. All programmes however will be subject to the availability of funding.

All efforts are being made to increase the supply of social housing in South Down, as across the whole of Northern Ireland.

Disability Action

Mr Shannon asked the Minister for Social Development to detail the amount of funding allocated by her department to Disability Action, in each of the last three years.

(AQW 654/08)

Ms Ritchie: The Department for Social Development provided funding to Disability Action NI in 2004/2005 under the Executive Programme Fund for Key Voluntary and Community Sector Services. The total amount awarded was £49,578 to develop the capacity of people with disabilities to empower themselves and meaningfully address the root causes of their marginalisation and exclusion.

Neighbourhood Renewal

Mr Boylan asked the Minister for Social Development if she is aware of the concerns of community representatives in Armagh city's 'Neighbourhood Renewal' areas, regarding the funding proposals for statutory bodies, in light of the fact that this appears to be a duplication of services that are already provided by these bodies; and of her department's apparent support for these bodies in regard to this matter.

(AQW 717/08)

Ms Ritchie: The funding proposals for statutory bodies in the Armagh Neighbourhood Renewal Area are aimed at tackling deprivation in line with the targets and objectives set out in the Action Plan which

was developed by the local community. All proposals will be subjected to a rigorous appraisal process to ensure that they address the causes of deprivation, complement rather than duplicate existing services, offer value for money and that there are no other more appropriate funding sources available. My officials are engaging with the local community representatives and the relevant statutory bodies to address concerns which have been raised in this regard.

NORTHERN IRELAND ASSEMBLY

Friday 19 October 2007

Written Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Attacks on Orange Halls

Mr Armstrong asked the Office of the First Minister and deputy First Minister what representations have been made by the department, to ensure that the recent attacks on Orange Halls are being treated as sectarian hate crimes by the Police Service of Northern Ireland. (AQW 81/08)

The First Minister and deputy First Minister (Rev Dr Ian Paisley and Mr M McGuinness): We totally deplore these acts and condemn utterly those people who carry out such attacks, which are a scourge on our society. We are totally committed to moving society forward; to make a real difference to the lives of all our people.

To this end, the First Minister has made numerous representations to the police in relation to attacks on Orange Halls.

Pension Gratuity Payments to Royal Ulster Constabulary Reservists

Mr McNarry asked the Office of the First Minister and deputy First Minister to detail the further clarification it is seeking from the Secretary of State with regard to pension/gratuity payments to Royal Ulster Constabulary reservists; and to indicate when it will be in a position to release the information obtained in relation to this issue. (AQW 588/08)

The First Minister and deputy First Minister: We have asked for further information about aspects of the Northern Ireland Office's assessment of the economic viability of a pension scheme for Royal Ulster Constabulary Part-time Reservists. We will

provide a full response when this additional information has been received.

Investment Strategy

Mr Shannon asked the Office of the First Minister and deputy First Minister to detail how it will ensure that the Investment Strategy for Northern Ireland covers all of Northern Ireland, and, in particular, the Strangford area. (AQW 756/08)

The First Minister and deputy First Minister: A draft Investment Strategy for Northern Ireland will be published shortly for consultation, setting out a range of programmes and projects to develop public infrastructure over the period 2008-2018 in line with the Executive's strategic priorities. In developing the draft Investment Strategy, the Strategic Investment Board has engaged with a wide cross-section of society across the region in order to inform better its advice to the Executive on prioritisation of future infrastructure development.

The Investment Strategy will be based on objective assessment of needs and priorities across all areas and will include developments both of regional and local significance.

Office of the Ombudsman and the Commissioner for Complaints

Mr McClarty asked the Office of the First Minister and deputy First Minister what consideration it has given to initiating the review of the Offices of the Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, which was due to commence upon restoration of the Assembly. (AQW 764/08)

The First Minister and deputy First Minister: A review of the Offices of the Assembly Ombudsman and Northern Ireland Commissioner for Complaints was undertaken in the 2003/04 financial year, and a report was submitted to OFMDFM for consideration in March 2004. In considering the report, the former Secretary of State, Paul Murphy MP, decided that consultation on the report findings, and subsequent policy development, should await the return of the Assembly.

We are now considering the report to determine the continued relevance of its scope and findings in light of the time that has elapsed since it was originally submitted to OFMDFM. This will allow us to map out what action is required in relation to the report, and the timetable for taking forward its findings as appropriate. We will advise the Assembly of our intentions in due course.

Appointment of a Victims' Commissioner

Mrs D Kelly asked the Office of the First Minister and deputy First Minister, with reference to the appointment of a Victims' Commissioner, and on the basis that the recruitment process was initiated under direct rule, to detail the implications that the delay in making this appointment will have on the reports being produced by (i) the Strategic Review of Parades Group; and (ii) the Consultative Group on the Past (Eames/Bradley). (AQW 894/08)

The First Minister and deputy First Minister:

The work of the Strategic Review of Parades Group and the Consultative Group on the Past are the responsibility of the Northern Ireland Office. We understand that the former intend to report in Spring 2008 and the latter by Summer 2008.

At this stage we do not anticipate any implications for the two reports arising from the timescale for Appointment of the Victims' Commissioner as announced on 8 October 2007.

AGRICULTURE AND RURAL DEVELOPMENT

Cost of Animal Feed

Mr P J Bradley asked the Minister of Agriculture and Rural Development what action she is taking to offset the threat to the pig, poultry and cattle industries, as a result of the increasing cost of feed. (AQW 630/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): I have recently met senior management at Grampian Country Park to hear at first hand the real economic challenges facing the pigmeat sector. I am also aware of the difficulties facing the poultry sector. I am fully engaged with the Red Meat Task Force and will be working with them and other stakeholders to consider their findings and recommendations and the way forward.

The extent of the problem varies with individual farm situation and it is essential each farmer accurately assesses their own costs of production. The College of Agriculture, Food and Rural Enterprise, CAFRE, offers Benchmarking programmes to pig producers and livestock farmers to help them assess their own costs of production and identify solutions to address any inefficiencies identified. The College is also working with stakeholders to develop training programmes for pig producers. A programme of written communications and workshops is planned this winter for the ruminant sectors in response to the current feed situation. We have also put the set-aside

rate at 0% for the coming year, which will release land for cereal production. I hope this will go some way to helping the pig, poultry and cattle industries at this time.

I have highlighted to the major retailers here how difficult the situation is for our local supply base. I have also written to every supermarket in the North about the rising costs for producers because of feed prices. Whilst I would like to encourage supermarkets to consider better terms for local produce, unfortunately, this is a reserved matter and I have no direct influence over prices.

Livestock Identity Tags

Mr P J Bradley asked the Minister of Agriculture and Rural Development to explain the reasons for the decision to retain the United Kingdom logo on the new 14 digit livestock identity tags. (AQW 632/08)

Ms Gildernew: Two-letter country codes must be printed on cattle eartags under EU legislation. The purpose of this is to allow the animal's Member State of origin to be identified. Commission Regulation (EC) No. 911/2004 specifies that the country code for the United Kingdom is UK. We are bound by this Commission Regulation to retain this on the tags.

Sluicing Gates

Mr Shannon asked the Minister of Agriculture and Rural Development to detail the decisions taken in relation to putting in place new and improved sluicing gates at the Clay Lakes, Shrigley, following the meeting on 18 June 2007 between her officials, Environment and Heritage Service officials, and local residents. (AQW 687/08)

Ms Gildernew: DARD Rivers Agency currently has no responsibility for control structures on the Clay Lakes. Following a meeting in June 2007 between representatives of Rivers Agency, DOE, Environment and Heritage, and the current controllers of the water levels, a further meeting took place on 19 July to discuss future control arrangements and the possible transfer of responsibility to Rivers Agency. Any decisions to provide new and improved control structures are subject to the formal agreement of the current controllers to transfer responsibility which has not yet been confirmed.

Animal Incinerators

Mrs I Robinson asked the Minister of Agriculture and Rural Development to detail the consultation requirements, in relation to building an animal incinerator on a farm. (AQW 694/08)

Ms Gildernew: Animal carcass incinerators must be approved in accordance with the Animal By-Products Regulations (NI) 2003. This requires incinerators to be operated in such a way as to minimise risks to public or animal health.

Under the Regulations, my Department must grant an approval if it is satisfied that the premises will be operated in compliance with the legislation. The legislation does not make provision for consultation. There is therefore no requirement for consultation in the approval process.

Organics Sector

Mr W Clarke asked the Minister of Agriculture and Rural Development to outline what incentives her department has introduced to develop the organics sector. (AQW 722/08)

Ms Gildernew: Under the Northern Ireland Rural Development Programme 2007-2013, which was approved by the European Commission in late July 2007, I hope to offer a new Organic Farming Scheme to assist farmers who wish to convert from conventional to organic production.

The new Scheme should offer increased levels of support for the organic livestock sector, with additional support for the organic cereal and horticulture sectors. DARD proposes to pay the following amounts to farmers to cover the first five years of conversion to organic production:

Horticulture (including top fruit)	£670
Arable	£570
Other Improved Land	£470

These payments are on a 'per hectare' basis, and will be apportioned over the five years.

I also hope to offer an ongoing post-conversion payment of £30 per hectare per year for such land, which is certified organic, under the proposed Organic Option in the new Countryside Management Scheme.

In addition to this, CAFRE (Greenmount Campus) continues to provide education, advice and ongoing support in relation to organic farming. It also develops and tests new technologies appropriate to the local organic sector.

Genetically Modified Crops

Mr W Clarke asked the Minister of Agriculture and Rural Development what discussions she has had with her counterpart in the Republic of Ireland, in relation to the debate on genetically modified crops. (AQW 723/08)

Ms Gildernew: To date, there have been no such discussions with Mary Coughlan, my counterpart in the Republic of Ireland, on this matter.

While such discussions will be scheduled if and when required, it should be pointed out that locally the Department of Environment, not DARD, have the statutory responsibility for the licensing of any GM trials.

However, I must stress that no GM crops are being grown here, either on farms or in research establishments.

Lamb Production

Mrs I Robinson asked the Minister of Agriculture and Rural Development to detail the tonnage of lamb produced in Northern Ireland in (a) 2004; (b) 2005; (c) 2006; and (d) 2007, to date. (AQW 743/08)

Ms Gildernew: The tonnage of lamb produced from the domestic breeding flock, including that from lambs slaughtered locally and lambs shipped or exported live, is estimated to be the following:

	Tonnes Dressed Carcase Weight
(a) 2004	17,878
(b) 2005	17,790
(c) 2006	18,940 (provisional)
(d) 2007 (to end of September)	11,855 (preliminary estimate)

I hope you find this helpful.

Beef Production

Mrs I Robinson asked the Minister of Agriculture and Rural Development to detail the tonnage of beef produced in Northern Ireland in (a) 2004; (b) 2005; (c) 2006; and (d) 2007, to date. (AQW 744/08)

Ms Gildernew: The tonnage of beef produced locally, including that from animals slaughtered here and all cattle shipped or exported live, is estimated to be the following:

TONNES DRESSED CARCASE WEIGHT¹

	Tonnes Dressed Carcase Weight ¹
(a) 2004	138,174
(b) 2005	132,244
(c) 2006	139,693 (provisional)
(d) 2007 (to end of September)	113,325 (preliminary estimate)

1. This excludes meat from animals slaughtered under the Over Thirty Months Scheme and the Older Cattle Disposal Scheme. This meat does not enter the human food chain.

I hope you find this helpful.

Policy on Circus Animals

Dr Farry asked the Minister of Agriculture and Rural Development to detail her department's policy in relation to the presence of circuses involving the use of animals. (AQW 771/08)

Ms Gildernew: DARD's role in circuses is currently very limited. Part III of the Welfare of Animals Act (NI) 1972 allows for the protection of all animals, as it is an offence under the Act to fail to exercise reasonable care and supervision so as to prevent unnecessary suffering to an animal. There are, however, no specific provisions on the welfare of animals in circuses. Furthermore the Department has no powers of entry to circuses. If a welfare complaint is received regarding a circus animal, only the PSNI has powers of entry under the Act.

The Department did, however, consult on proposals for new animal welfare legislation in 2006, including on the need for regulation of circuses. I have asked my officials to finalise a paper summarising the responses to this consultation, after which I will decide what new legislation is required.

As many of the circuses that operate here are based in the South, it is important that I take note of the position in the South during my consideration of this issue. Therefore I have asked my officials to raise the issue in their discussions about new animal welfare legislation in the South, with their counterparts in the Department of Agriculture, Fisheries and Food, when they next meet at a forthcoming Animal Welfare North South Working Group.

Regulation of Circus Animals

Dr Farry asked the Minister of Agriculture and Rural Development what plans she has to regulate the use of animals in circuses within Northern Ireland; and what consideration she has given to a ban on such circuses. (AQW 772/08)

Ms Gildernew: DARD's role in circuses is currently very limited. Part III of the Welfare of Animals Act (NI) 1972 allows for the protection of all animals, as it is an offence under the Act to fail to exercise reasonable care and supervision so as to prevent unnecessary suffering to an animal. There are, however, no specific provisions on the welfare of animals in circuses. Furthermore the Department has no powers of entry to circuses. If a welfare complaint is received regarding a circus animal, only the PSNI has powers of entry under the Act.

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Suckler Beef and Hill Sheep Farmers

Mr Bresland asked the Minister of Agriculture and Rural Development what steps she will take to support the long-term sustainability of Northern Ireland's suckler beef and hill sheep farmers, in response to the findings of the Northern Ireland Red Meat Taskforce. (AQW 799/08)

Ms Gildernew: I am committed to supporting local produce and can advise that my Department is actively involved in work aimed at assisting our beef and sheep industries. The Task Force Report clearly shows the serious challenges facing these sectors and gives a clear view on the choices that have to be made by each individual farmer.

My Department will target research and investment to production models that are considered, by the Report, as having the greatest potential to deliver results and offer sustainable businesses to farmers. We will support those farmers who choose to stay in the sector and look at alternative production systems and help those who wish to change direction and take up other opportunities.

The Single Farm Payment, available up to 2013, represents substantial transitional support and gives producers options, while maintaining current levels of income, to be able to change direction while trying to implement logical business decisions. Additionally, the Rural Development Plan that I announced in early summer, contains many programmes and measures that will also assist in the transition, for example, adding value via better Processing and Marketing, Farm Modernisation and Supply Chain Programmes.

Beef and Lamb were included in LMC's programme of activities at Anuga, the international food and drink exhibition that took place in Cologne earlier this month. LMC also facilitate trade missions, carry out beef and lamb promotion activities in Europe and provide pricing and marketing information to help the industry secure the best markets for their products.

Part-Time Farmers

Mr McGlone asked the Minister of Agriculture and Rural Development if she will give a detailed report on her department's progress towards accommodating part-time farmers, within the farm viability criteria that are presently applied to meet planning policy.

(AQW 813/08)

Ms Gildernew: I understand the concerns which exist about the relevance of the current farm viability test given that an increasing proportion of farms are being operated on a part time basis. The assessment of farm viability is one of a number of issues that is being considered by the Ministerial Interdepartmental Rural Planning Group, of which I am a member. This group will report its conclusions to the Executive.

Disposal of Surplus Young Cattle

Mr Savage asked the Minister of Agriculture and Rural Development what is her assessment of whether or not surplus young cattle are always disposed of in a humane manner.

(AQW 865/08)

Ms Gildernew: There is no evidence to suggest inhumane disposal of young cattle. The majority of these surplus young cattle are humanely destroyed by private vets though some may be shot by the farmers themselves. If the welfare of animals was being contravened the Department would expect to be made aware through complaints from neighbours and farm visitors. The Department gives high priority to the welfare of cattle and operates a vigorous enforcement policy to ensure full compliance of regulatory requirements. Any breaches are investigated thoroughly and offenders prosecuted as necessary.

Incentives for Rearing Surplus Young Cattle

Mr Savage asked the Minister of Agriculture and Rural Development what plans she has to introduce incentives in relation to the rearing of surplus young cattle, taking into account the current global food shortage.

(AQW 866/08)

Ms Gildernew: The recently published Red Meat Task Force Report highlights the serious challenges facing the sector and gives a clear view on the choices that have to be made by each individual farmer. My Department will assist in whatever way it can but the current structure of the red meat industry is not viable and we need to secure change. I will ensure that Government resources are focused and targeted on those production options which are viable. The College of Agriculture, Food and Rural Enterprise, CAFRE, and Supply Chain Development Branch will

also continue to work with producers to develop new production systems for cattle with a view to satisfying the demands of, or need for, new market opportunities.

The Single Farm Payment, which will be available up to 2013 at least, represents substantial transitional support to underpin the red meat sector, giving producers the opportunity to change the direction of their business whilst maintaining current levels of income. The question would appear to indicate that the time is right to look at other options including diversification. Further subsidy, even in the short term, would simply mask the issues and put off addressing the need for change. Introducing an incentive scheme or something similar is neither realistic nor practical as, even if State Aid approval were to be granted, resources are extremely limited.

Early Retirement Scheme for Farmers

Mr Savage asked the Minister of Agriculture and Rural Development what consideration she will give to an early retirement scheme for farmers, similar to that which exists in the Republic of Ireland.

(AQW 867/08)

Ms Gildernew: Independent research commissioned by DARD and carried out in 2002 by The Queen's University of Belfast considered the viability of an Early Retirement Scheme, as well as a New Entrants Scheme. The research estimated that the payment for actions which would have occurred anyway in the absence of the Scheme would be relatively high and, therefore, it offered poor value for money.

Since then, decoupling of support and the introduction of the Single Farm Payment Scheme (SFPS) provides an extremely flexible means by which farmers can scale back their farming enterprises and retain a significant support payment. This offers a practical and readily available means for farmers to move to retirement at any stage and with minimum bureaucracy.

Agri-Food and Biosciences Institute

Mr McCallister asked the Minister of Agriculture and Rural Development if she will make public the details of the business case that has been used as the basis for her decision to sell the facilities owned by her department at Crossnacreevy; and to detail what other options, as an alternative to this sale, were considered.

(AQW 914/08)

Ms Gildernew: The proposed disposal of the Crossnacreevy site is about Government's obligations to make best use of its capital assets and about the Agri-Food and Biosciences Institute's (AFBI) future strategic needs.

Prior to my announcement on 12 June, DARD and AFBI jointly had already begun a review of AFBI's needs and utilisation of the estate it occupies. The initial scoping study for this review concluded that the relocation of the activities and facilities at Crossnacreevy to another site was feasible. This conclusion opened up the possibility that the current site could be sold without any adverse impact on AFBI's activities.

The AFBI estate review has now moved on to the next phase. This includes the preparation of business cases that will address the options for the relocation of the facilities and work carried out at and disposal of the Crossnacreevy site. Once the business cases are finalised I will be very happy to make the details available.

EU Agriculture and Fisheries Meeting

Mr Savage asked the Minister of Agriculture and Rural Development to detail what benefits were secured for the agricultural community in Northern Ireland, at the meeting of EU Agriculture and Fisheries Ministers in Porto, from 16-18 September 2007.
(AQW 1051/08)

Ms Gildernew: The meeting of EU Agriculture and Fisheries Ministers in Porto was an informal meeting of the EU Agriculture Council hosted by the Portuguese Presidency. The hosting of an informal Council meeting is normal practice at the start of each new six month Presidency. A Presidency paper entitled 'Importance of agri-food sector to the sustainable development of rural territories' was the subject of debate.

Informal meetings of the EU Council have no legal status. Consequently, no decisions are taken at such meetings and so there are no direct benefits for the agricultural community in the North that could accrue from the recent informal meeting in Porto.

CULTURE, ARTS AND LEISURE

Motorcycle Road Races

Lord Morrow asked the Minister of Culture, Arts and Leisure what consideration has been given to permitting organisers of motorcycle road races to charge entry to their events.
(AQW 698/08)

The Minister of Culture, Arts and Leisure (Mr Poots): I am aware that, currently, legislation only provides for charging into the Dundrod circuit during the Ulster Grand Prix. Officials within my Department are in ongoing discussions with the umbrella body for motorsport, the 2&4 Wheel Motorsport Steering Group Limited, about the wider

implications this may have for organisers of other motorsports events and how issues in relation to charging at those events might be addressed.

Dundrod Circuit (Admission Charges) Regulations (Northern Ireland) 2003

Lord Morrow asked the Minister of Culture, Arts and Leisure to give his assessment of the impact of the Dundrod Circuit (Admission Charges) Regulations (Northern Ireland) 2003.
(AQW 701/08)

Mr Poots: The Dundrod Circuit (Admission Charges) Regulations (Northern Ireland) 2003 provides for the organisers of the Ulster Grand Prix to levy an admission charge on spectators attending this event. The umbrella body for motorsport, the 2&4 Wheel Motorsport Steering Group Limited (2&4 Wheel MSG), has raised concerns with DCAL about the implications of these Regulations on investment opportunities for other motorsport events. DCAL officials are in on-going discussions with 2&4 Wheel MSG on this issue and how it might be addressed.

Staff Required in Library Services

Mr P Ramsey asked the Minister of Culture, Arts and Leisure to provide an estimate of the number of administration and management staff that will be required in the various grades of library service, following the establishment of the proposed new Library Authority.
(AQW 734/08)

Mr Poots: The Chief Executive (designate) of the proposed Library Authority is considering the staffing structure of the Library Authority as part of the work she is undertaking on organisational design with senior library staff in the Education and Library Boards.

Once I have had an opportunity to consider her proposals I will advise the Culture, Arts and Leisure Committee.

Public Access to Library Services

Mr P Ramsey asked the Minister of Culture, Arts and Leisure if he will provide assurances that the core library services will be free to the general public at the point of use, following the establishment of the proposed Library Authority.
(AQW 735/08)

Mr Poots: Yes. The Libraries Bill as drafted is designed to reflect current practice in charging the public for certain library services. The Department's policy guidelines, *Delivering Tomorrow's Libraries*, state that "the public library service exists to make

available to all, free at the point of use, books and information which provide opportunities for learning, knowledge and inspiration”.

Staff in Northern Library Services by Grade

Mr P Ramsey asked the Minister of Culture, Arts and Leisure to detail the number of administration and management staff within the Northern Ireland Library Service, broken down by grade. (AQW 738/08)

Mr Poots: A table detailing the information requested is attached.

ANNEX

Grade	In Post
Second Tier	5
Assistant Senior Education Officer	1
Education Officer	2
Senior Principal Officer	5
Principal Officer	3
Assistant Principal Officer	2
Senior Administration Officer	5
Administration Officer	13
Senior Executive Officer	12
Executive Officer	22
Senior Clerical Officer	22
Clerical Officer	6
Total	98

Accommodation of Library Services

Mr P Ramsey asked the Minister of Culture, Arts and Leisure what is his assessment of the land and property requirements of the new Library Authority and related administration; and to detail (a) whether there will be a requirement for additional or new accommodation; (b) the estimated cost of new accommodation; and (c) the value of any surplus land and property. (AQW 739/08)

Mr Poots: The existing public libraries and library administration buildings will transfer from the Education and Library Boards to the Library Authority in a scheme for the transfer of assets. In considering the organisational design of the Library Authority, an assessment will be made of the continuing need for the existing administration buildings. The value of any that are surplus will be calculated at that point.

The only new accommodation foreseen is for the headquarters of the Library Authority. Negotiations are underway for temporary premises in Lisburn which will cost around £30,000 per year in rent, rates and service charge. A permanent location for the Library Authority has not yet been considered.

Sporting Facilities

Mr O’Loan asked the Minister of Culture, Arts and Leisure what support his department is giving to provide additional sporting facilities, throughout all of the rural areas in North Antrim. (AQW 752/08)

Mr Poots: Article 10 of The Recreation and Youth Service (Northern Ireland) Order 1986 states that each District Council has statutory responsibility for the provision of leisure and recreation facilities within its area. Therefore the responsibility to provide additional sporting facilities throughout all of the rural areas in North Antrim falls to the District Councils in that area. This would therefore be a matter for Ballymena, Ballymoney, and Moyle, Borough Councils.

1911 Census of Ireland Microfilm

Mr Shannon asked the Minister of Culture, Arts and Leisure to explain the reasons why the 1911 census of Ireland microfilm is still not available in the Public Record Office in Northern Ireland, when his department promised in 2002 that that it would be copied and placed on public record; and what is the timetable for this to be made available. (AQW 753/08)

Mr Poots: It was the intention of the Public Record Office of Northern Ireland (PRONI) to purchase microfilm copies of the 1911 census but because of technical difficulties in duplicating the films these plans were delayed. In the meantime PRONI was aware that the National Archives of Ireland in Dublin were keen to index and digitise both the 1901 and 1911 census in which case it would have been wasteful of public funding for PRONI to acquire microfilm copies.

In the autumn of 2005 the government in the Republic of Ireland announced that funding would be made available for the digitisation of both the 1901 and 1911 census returns for the whole island of Ireland. These will be available online without charge. This is being implemented as a joint project between the National Archives of Ireland and Library and Archives Canada. Phase one to make the 1911 census for Dublin available will be launched shortly. Cos Antrim and Down, including Belfast, will be in phase two which is to be launched in the Spring of 2008. It will therefore be unnecessary for PRONI to obtain microfilm copies of the 1911 census for Northern Ireland.

Cost of Translations

Mr Kennedy asked the Minister of Culture, Arts and Leisure to detail the total cost of translating all Northern Ireland Government departments' official documents and papers into non-English language mediums, broken down by language. (AQW 800/08)

Mr Poots: Detailed breakdowns of translation costs for each Government Department for each of the last five years are provided in the following tables:

BREAKDOWN OF TRANSLATIONS 2002/03, 2003/04, 2004/05, 2005/06

Breakdown For 2002/03						
Department	Total 2002/03	Irish	Ulster Scots	* Ethnic	Sign	** Other
DHSSPS	£95,620.11	£89,152.86	£0.00	£6,467.25	£0.00	£0.00
NIO	£123,150.11	£679.36	£413.00	£121,790.75	£85.00	£182.00
DE	£98,993.67	£35,521.79	£0.00	£58,497.63	£599.70	£4,374.55
DETI	£987.68	£176.02	£0.00	£811.66	£0.00	£0.00
DEL	£4,726.86	£655.00	£0.00	£719.90	£3,351.96	£0.00
OFMDFM	£43,176.87	£26,208.99	£7,415.50	£2,522.00	£1,528.00	£5,502.38
DOE	£296.50	£154.50	£0.00	£0.00	£142.00	£0.00
DSD	£18,183.86	£57.50	£0.00	£16,836.02	£1,290.34	£0.00
DFP	£177.17	£177.17	£0.00	£0.00	£0.00	£0.00
DCAL	£39,718.86	£38,061.61	£149.85	£495.00	£1,012.40	£0.00
DARD	£981.49	£310.89	£0.00	£670.60	£0.00	£0.00
DRD	Nil Return					
Total	£426,013.18	£191,155.69	£7,978.35	£208,810.81	£8,009.40	£10,058.93

Breakdown 2003/04						
Department	Total 2003/04	Irish	Ulster Scots	* Ethnic	Sign	** Other
NIO	£115,001.83	£687.38	£0.00	£111,583.79	£2,730.66	£0.00
DE	£119,929.38	£22,963.22	£69.95	£96,780.01	£104.20	£12.00
DARD	£1,305.36	£76.59	£0.00	£1,175.78	£0.00	£52.99
DEL	£11,039.00	£0.00	£1,028.00	£9,028.70	£104.20	£878.10
DETI	£3,697.68	£2,075.93	£0.00	£523.93	£120.11	£977.71
DFP	£1,898.45	£1,060.13	£0.00	£838.32	£0.00	£0.00
DHSSPS	£31,466.55	£29,305.80	£0.00	£2,160.75	£0.00	£0.00
DOE	£74.95	£74.95	£0.00	£0.00	£0.00	£0.00
DRD	£539.04	£195.00	£134.04	£210.00	£0.00	£0.00
DSD	£53,913.74	£482.50	£0.00	£52,556.86	£874.38	£0.00
OFMDFM	£22,505.61	£4,764.15	£354.00	£1,375.51	£15,734.65	£277.30
DCAL	£53,652.58	£51,593.12	£444.50	£1,350.00	£264.96	£0.00
Total	£415,024.17	£113,278.77	£2,030.49	£277,583.65	£19,933.16	£2,198.10

Breakdown 2004/05						
Department	Total 2004/05	Irish	Ulster Scots	* Ethnic	Sign	** Other
NIO	£257,878.70	£2,058.69	£558.06	£158,670.32	£4,161.52	£92,430.11
DE	£37,416.37	£24,554.49	£0.00	£9,800.30	£3,061.58	£0.00
DARD	£1,370.98	£311.90	£0.00	£1,059.08	£0.00	£0.00
DEL	£12,557.82	£0.00	£0.00	£50.00	£2,654.63	£9,853.19
DETI	£3,603.36	£309.97	£45.50	£1,740.01	£1,507.88	£0.00
DFP	£1,958.86	£625.06	£295.54	£715.11	£102.34	£220.81
DHSSPS	£13,515.01	£9,592.76	£0.00	£152.75	£0.00	£3,769.50
DOE	£724.02	£109.02	£225.00	£390.00	£0.00	£0.00
DRD	£3,798.99	£338.24	£0.00	£0.00	£3,108.24	£352.51
DSD	£112,612.59	£251.39	£0.00	£98,092.67	£3,154.70	£11,113.83
OFMDFM	£1,695.36	£494.36	£0.00	£1,195.00	£0.00	£6.00
DCAL	£37,403.23	£28,575.59	£568.71	£5,425.00	£2,833.93	£0.00
Total	£484,535.29	£67,221.47	£1,692.81	£277,290.24	£20,584.82	£117,745.95

Breakdown 2005/06						
Department	Total 2005/06	Irish	Ulster Scots	* Ethnic	Sign	** Other
NIO	£527,454.57	£480.76	£0.00	£510,893.87	£16,079.94	£0.00
DE	£37,827.10	£19,349.27	£0.00	£14,094.27	£3,559.65	£823.91
DARD	£5,076.85	£3,192.16	£95.89	£1,590.00	£0.00	£198.80
DEL	£232,064.00	£0.00	£0.00	£230,841.00	£1,223.00	£0.00
DETI	£7,510.19	£390.89	£0.00	£5,430.59	£1,611.17	£77.54
DFP	£1,498.03	£899.73	£0.00	£180.00	£356.50	£61.80
DHSSPS	£27,262.66	£8,974.00	£0.00	£17,545.66	£0.00	£743.00
DOE	£16,330.78	£7,290.06	£7,931.62	£309.10	£800.00	£0.00
DRD	£546.04	£436.04	£0.00	£110.00	£0.00	£0.00
DSD	£309,871.19	£0.00	£0.00	£308,602.40	£561.00	£707.79
OFMDFM	£24,081.60	£2,740.77	£515.36	£15,210.47	£4,291.60	£1,323.40
DCAL	£25,183.92	£20,801.17	£783.40	£1,535.90	£532.30	£1,531.15
Total	£1,214,706.93	£64,554.85	£9,326.27	£1,106,343.26	£29,015.16	£5,467.39

Breakdown 2006/07						
Department	Total 2006/07	Irish	Ulster Scots	Ethnic*	Sign	Other**
NIO	£359,775.00	£1,963.00	£193.00	£337,935.00	£19,070.00	£614.00
DE	£235,520.11	£19,371.88	£50.61	£212,177.62	£3,590.00	£330.00
DARD	£8,723.20	£2,087.49	£489.77	£6,145.94	£0.00	£0.00
DEL	£118,987.71	£2,375.06	£630.00	£35,795.65	£80,187.00	£0.00
DETI	£12,482.65	£223.75	£0.00	£11,622.02	£113.00	£523.88
DFP	£14,040.03	£9,971.29	£0.00	£174.36	£3,763.88	£130.50
DHSSPS	£14,786.46	£14,046.45	£0.00	£740.01	£0.00	£0.00

Breakdown 2006/07						
Department	Total 2006/07	Irish	Ulster Scots	Ethnic*	Sign	Other**
DOE	£22,246.57	£20,145.87	£1,060.50	£508.20	£532.00	£0.00
DRD	£5,042.51	£410.67	£175.00	£1,547.34	£2,593.00	£316.50
DSD	£262,630.97	£1,932.88	£0.00	£257,924.33	£990.95	£1,782.81
OFMDFM	£14,926.86	£3,891.97	£499.60	£7,815.46	£2,111.40	£608.43
DCAL	£44,918.38	£40,667.70	£0.00	£2,191.31	£0.00	£2,059.37
Total	£1,114,080.45	£117,088.01	£3,098.48	£874,577.24	£112,951.23	£6,365.49

* Ethnic refers to translations other than English, Irish and Ulster-Scots

** Other refers to braille and interpretation costs

Comprehensive Spending Review

Mr McCarthy asked the Minister of Culture, Arts and Leisure to detail how the Deloitte Touche report, ‘The Cost of Division – A Shared Future Strategy’ is being taken into account within his department’s approach to the current Northern Ireland Comprehensive Spending Review. (AQW 824/08)

Mr Poots: My Department is committed to ensuring that it fulfils its duties under both Section 75(1) and (2) of the Northern Ireland Act 1998 in relation to the promotion of equality of opportunity and the desirability of promoting good relations. Promotion of equality of opportunity and good relations is an important part of departmental policy development, legislative activities and operational programmes. For each of the Comprehensive Spending Review 2007 spending and efficiency proposals put forward by the Department a High Level Equality Impact Assessment (HLIA), agreed by the Equality Commission for the Comprehensive Spending Review process, has been completed showing how each proposal has been considered against both duties.

The report ‘The Cost of Division – A Shared Future Strategy’ was a piece of independent research commissioned by the previous administration and represents the views of Deloitte Touche. Therefore my department did not consider this report during the current Northern Ireland Comprehensive Spending Review.

Irish Language Community

Mr Brolly asked the Minister of Culture, Arts and Leisure what steps he has taken to liaise with the Irish language community, since he took up office. (AQW 874/08)

Mr Poots: I have recently met with representatives from the Irish language community to discuss Irish language legislation, the recommendations of the Council of Europe Committee of Experts on Regional or

Minority Languages duty to adopt a strategy to enhance and protect the development of the Irish language.

Staff Levels in Arts Council

Mr I McCrea asked the Minister of Culture, Arts and Leisure to provide a breakdown of the number of staff within the Arts Council of Northern Ireland, per head of population, compared to the Arts Councils of England, Scotland, Wales and the Republic of Ireland. (AQW 888/08)

Mr Poots: The information requested is shown in the table below.

Arts Council	No. of Staff	Population	Population per member of staff
England	700	50,762,900	72,518
Scotland	90	5,116,900	56,854
Wales	124	2,965,900	23,919
Republic of Ireland	105	4,109,086	39,134
Northern Ireland	56	1,710,300	30,541

The Arts Council staff total includes 5 temporary staff and 2 university student placements.

Arts Council: Annual Support for Organisation Programme

Mr I McCrea asked the Minister of Culture, Arts and Leisure to provide a breakdown of Annual Support for Organisations Programme contributions allocated by the Arts Council of Northern Ireland to the Grand Opera House, Belfast, in each of the last three years. (AQW 889/08)

Mr Poots: Annual Support for Organisations Programme contributions allocated by the Arts Council

of Northern Ireland to the Grand Opera House in each of the last three years are shown on the following page:

Financial year	Amount allocated (£)
2007/08	492,921
2006/07	492,921
2005/06	485,000

Ulster-Scots Language

Mr McCausland asked the Minister of Culture, Arts and Leisure to detail what progress has been made in preparing to move the Ulster-Scots language from part 2 to part 3 of the Council of Europe Charter for Regional or Minority Languages. (AQW 946/08)

Mr Poots: A draft road map has been developed by the Ulster Scots Academy Implementation Group Partnership Board outlining how the criteria could be met for Ulster-Scots to attain Part III status. This was done at the request of an Ulster Scots Future Search Group convened by my Department. Government Departments have considered the document and responded to the Partnership Board who in turn submitted a revised document for further consideration by the Interdepartmental Charter Implementation Group (ICIG). ICIG agreed to take on board both the Partnership Board's and Departments' comments and prepare a revised road map for discussion at its next meeting.

EDUCATION

Transfer Test

Mr Butler asked the Minister of Education to detail the breakdown of costs and the number of personnel involved in devising, trialling and administering the transfer test each year. (AQW 220/08)

The Minister of Education (Ms Ruane): The Transfer Test is estimated to cost the Council for the Curriculum, Examinations and Assessment (CCEA) in excess of £500,000 to devise, trial and administer. Around 50% of the total cost is accounted for by the development and trialling of test papers, with around 30% accounted for by the marking and re-marking of test papers. The remaining 20% of costs relate to printing, postage, processing of entries and information management. This estimate reflects the fact that a number of CCEA staff engaged in these activities also undertake other functions within the organisation, so an exact head count is not appropriate, but staffing costs are factored into the overall estimate. The figure excludes the cost of invigilation, ongoing support for

schools and the issue of results to schools and parents, all of which are more difficult to accurately estimate as they involve organisations other than CCEA.

Bunscoil an Chaistil

Mr McKay asked the Minister of Education to give a timescale for Bunscoil an Chaistil to (i) receive an upgrade of its C2K service; (ii) receive lunch facilities; and to detail how the Club Bank Scheme is progressing towards a new school in Ballycastle, and whether her department has settled upon a design for this new school. (AQW 280/08)

Ms Ruane:

- (i) Bunscoil an Chaistil is using standalone ICT equipment supplied by Classroom 2000 (C2k) because its current temporary accommodation does not have the cabling necessary to enable it to have a fully networked internal system. The Department is currently working with the North Eastern Education and Library Board and C2k to ensure that Bunscoil an Chaistil will be fully equipped and connected to the C2k network, thus ensuring that they can take full advantage of the benefits of ICT, as well as meeting their responsibilities under the new curricular and assessment arrangements. The solution for the school has still to be determined but it is expected that the work will be completed in the next few months.
- (ii) The North Eastern Education and Library Board is currently providing school meals for 7 to 8 pupils at Bunscoil an Chaistil. These pupils are entitled to free school meals and the meals are delivered daily to the school from St Patrick's and St Brigid's High School and eaten in the nursery classroom. Due to the small numbers involved the Board has not provided a separate school meal servery.
- (iii) Arrangements for a Club Bank scheme are currently the subject of consideration between the Department and Comhairle na Gaelscolaíochta. The Department has not yet agreed a design for the school.

Dyslexia

Mr McCarthy asked the Minister of Education to detail the earliest age at which her department can make provision for children with dyslexia in the Ards peninsula. (AQW 437/08)

Ms Ruane: The Department of Education does not make special education provision. Under special education legislation Education and Library Boards (ELBs) are responsible for identifying, assessing and,

in appropriate cases, making special educational provision for children in their areas.

This provision, which includes provision for children with dyslexia, is matched to individual needs and for which no age limit has been prescribed by the Department.

All-Island Autism Centre

Mr Lunn asked the Minister of Education what progress has been made on an all-island autism centre. (AQO 294/08)

Ms Ruane: The Department of Education in partnership with the Department of Education and Science is taking forward the arrangements needed to enable the Middletown Centre for Autism to begin offering services.

Following the purchase of the property in June 2004 and the approval of a comprehensive revised economic appraisal in July 2006 considerable progress has been made in the establishment of the Centre.

The appointment of the Board of Directors by the two Departments is now complete and the Middletown Centre for Autism Ltd was incorporated as a company on 16th March 2007.

The Chief Executive Officer for the Centre commenced employment in April 2007, with two Heads of Division taking up their posts in September and October. They will be taking forward the work required to commence service delivery. The recruitment of the Head of Corporate Services is also underway.

An Integrated Design Team led by the two Departments is taking forward the refurbishment and building project, which is being planned to facilitate the phasing of services until the completion of the building works. Consultations with stakeholders took place in August and September to help inform the design of the Centre.

The Board and Senior Management Team intend to undertake an extensive consultation exercise during the Autumn/Winter 2007 period with all those involved with children and young people with autism. The purpose of this consultation is to inform and invite comments regarding the proposed services to be delivered from the Centre.

Teaching Salaries

Mr Moutray asked the Minister of Education, pursuant to her answer to AQW 70/08, to detail the number of teachers whose salaries were included in the figures that she provided, broken down by sector, for each of the last five years. (AQW 481/08)

Ms Ruane: The number of teachers whose salaries were included in the figures provided in AQW 70/08, broken down by sector, for each of the last five years is detailed in the attached table.

Sector	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007
Controlled	8,763	8,842	8,853	8,686	8,510
Controlled Integrated	226	255	270	270	263
Grant Maintained	775	794	841	876	903
Maintained	7,020	7,014	6,939	6,824	6,669
Other Maintained	78	81	79	81	81
Irish Medium	168	180	187	194	196
Total	17,030	17,166	17,169	16,931	16,622

After-School Clubs

Mr O'Loan asked the Minister of Education what plans she has to introduce after-school clubs in rural areas in the next year; and, if so, what will be the locations of such clubs. (AQW 493/08)

Ms Ruane: Just under a quarter of the 494 schools currently in the extended school programme are classified as rural. The programme is targeted at socially disadvantaged schools across all areas and I have no plans to introduce a specific strand of the programme targeted solely at rural areas.

St. Aloysius High School, Cushendall

Mr O'Loan asked the Minister of Education to detail the current situation regarding the proposals to close St. Aloysius High School in Cushendall. (AQW 494/08)

Ms Ruane: The Trustees and CCMS are examining possible rationalisation of post-primary provision in the Glens and East Antrim area involving three schools, including St Aloysius High School. CCMS are working on an economic appraisal which covers options for rationalising provision, and which will be presented on completion to the Department of Education. Any proposal for rationalisation which CCMS and the Trustees bring forward in due course will require the publication of a statutory development proposal, which will be the subject of consultation.

Academic Selection

Mr O'Loan asked the Minister of Education to detail what progress has been made on the proposals

to end academic selection; and to give a timescale within which her proposals will be fully implemented. (AQW 495/08)

Ms Ruane: I am aware of the need to put in place suitable transfer arrangements in time for the cohort transferring from primary to post-primary education in 2010 and will be bringing forward proposals as soon as possible. It is well known that I am not in favour of selection on the basis of ability, but I am also conscious of the need to engage with those who hold opposing views to determine new post-primary admissions arrangements for this cohort. Rather than imposing artificial deadlines, the priority must be to make the right decision for the children affected, within a broader view of the shape and nature of post-primary education.

Pupils in Irish Language Schools

Mr Storey asked the Minister of Education to detail (i) the number of Irish language schools in Northern Ireland, broken down by constituency; and (ii) the number of pupils that are enrolled in each of these schools. (AQW 505/08)

Ms Ruane: The latest available school enrolment information relates to the 2006/07 academic year. There were 21 grant-aided Irish language primary and post-primary schools in the North of Ireland in 2006/07. They had a total enrolment of 2,530 pupils. In addition, there were two independent Irish language schools, with a combined enrolment of 24 pupils.

Local Business Needs

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 91/08, what meetings she has had with Northern Ireland business leaders, to ascertain how the education system can develop the skills of young people for life and work in the 21st century; and what emphasis was placed upon employability and entrepreneurship in these meetings. (AQW 507/08)

Ms Ruane: Since taking up the post of Minister for Education I have met representatives of the following groups on the dates specified:

Irish Association of Social, Cultural & Economic Relations:	03 July 2007
Confederation of British Industry:	25 July 2007
Ulster Farmers Union:	25 July 2007
Institute of Directors:	08 August 2007
Business in the Community	06 September 2007

These meetings have provided an opportunity for very useful engagement on the contribution that education can and does make to employment, enterprise and wider economic development.

Raising educational standards and ensuring young people have the necessary skills to progress into employment is crucial for our long-term economic success. It is for that reason that the revised curriculum now includes a specific focus, as part of Learning for Life and Work, on employability and entrepreneurship. That focus is complemented by other work to strengthen links between business and education, including in relation to improving careers education, advice and guidance.

Young Peoples' Skills

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 91/07, to detail what priority her department places upon developing the skills of young people, so that they make a greater contribution to improving Northern Ireland's economic competitiveness. (AQW 509/08)

Ms Ruane: Developing the skills and potential of our young people is one of my key priorities for education and I have taken account of the views of employers and business leaders on the skills our young people need.

The revised curriculum, being phased in from this school year, will help to develop highly skilled, confident, creative and articulate young people, crucial to improving our economic competitiveness. Skills are an integral part of the statutory revised curriculum. Pupils will develop the cross-curricular skills of Communication, Using Mathematics and Using ICT through the curriculum Areas of Learning, along with the other skills and personal capabilities sought by employers, including Working With Others, Self-Management, Managing Information, Problem-Solving and Being Creative.

Pupils will also be assessed each year in their progress in developing skills as well as knowledge and understanding. This will therefore provide a clear pathway to ensure pupils leave school with the skills they need for their future, and to contribute to our economic competitiveness.

Bus Passes

Mr Burns asked the Minister of Education to detail the number of bus passes that were issued to school children in Crumlin and Glenavy for the academic year 2007/08; and to detail the total cost incurred by her department in respect of this issue. (AQW 521/08)

Ms Ruane: The North-Eastern and South-Eastern Education and Library Boards have advised that a total of 1,388 Translink bus passes have been issued to pupils travelling to school from the Crumlin/Glenavy area for the 2007/08 academic year, at a total cost of £804,953.

School Amalgamations

Mr McKay asked the Minister of Education if she will make a statement on the amalgamation of St Patrick's Primary School, Cloney, and St Joseph's Primary School, Ahoghill, with specific reference to the transfer of pupils affected by the process.

(AQW 528/08)

Ms Ruane: Earlier this year I approved a proposal brought forward by the Trustees and the CCMS to amalgamate the two schools. The amalgamation is planned to take effect in January and would involve the transfer of pupils to St Joseph's Primary School. I understand that with the start of term a significant number of pupils at St Patrick's have transferred to other schools and the Department is therefore asking CCMS to review the position regarding the proposed amalgamation.

St Aloysius High School, Cushendall

Mr McKay asked the Minister of Education if she will make a statement on the possible closure of St Aloysius Secondary School in Cushendall.

(AQW 529/08)

Ms Ruane: The Trustees and the CCMS are examining possible rationalisation of post-primary provision in the Glens and East Antrim area involving three schools, including St Aloysius High School. CCMS are working on an economic appraisal which covers options for rationalising provision and which will be presented on completion to the Department of Education. Any proposal for rationalisation which CCMS and the Trustees bring forward in due course will require the publication of a statutory development proposal, which will be the subject of consultation.

Transport For Students

Mr O'Loan asked the Minister of Education what consideration she will give to the provision of paid transport to all pupils travelling from the Glenariff, Cushendall and Cushendun areas to Cross and Passion College, Ballycastle, in light of the fact that the nearest secondary school to these areas, St Aloysius, has been earmarked for closure, and has not had any pupils enrolling for Year 11 in this academic year.

(AQW 530/08)

Ms Ruane: Following the provision of an economic appraisal examining options for rationalising post-primary school provision in the Glens and East Antrim area, the Department has requested that further work is undertaken on the appraisal. However, consideration of this issue is at an early stage and no decision has yet been taken about the future of St Aloysius High School. Any change in existing provision would require the publication of a statutory development proposal to be preceded by consultation with the Boards of Governors, staff and parents of the schools involved.

Until such times as a decision has been taken regarding the future of St Aloysius High School, the normal home to school transport arrangements apply. Accordingly, under those arrangements, pupils must apply to, and be turned down by, St Aloysius High School, and any other maintained post-primary school within three miles of their homes, before being eligible to receive transport assistance to Cross and Passion College, Ballycastle.

School Buses

Mr O'Loan asked the Minister of Education to detail (i) the number of pupils; and (ii) the number and capacity of buses, travelling from Glenariff, Cushendall and Cushendun to Cross and Passion College, Ballycastle, since the beginning of September 2007.

(AQW 533/08)

Ms Ruane: Translink has advised that from Glenariff, Cushendall and Cushendun it currently transports 88 pupils to Cross and Passion College using two buses, 1 x 53 seater and 1 x 51 seater. I should advise, however, that of these 88 pupils only 37 are in receipt of home to school transport assistance.

School Amalgamations

Mr Adams asked the Minister of Education to give an update on the development proposal on the amalgamation of St. John the Baptist Boys' Primary School and St. John the Baptist Girls' Primary School on Finaghy Road, Belfast.

(AQW 546/08)

Ms Ruane: The Department is aware that the Council for Catholic Maintained Schools (CCMS) has discussed with the Trustees, Boards of Governors, staff and parents, the possible amalgamation of St John the Baptist Boys' Primary School and St John the Baptist Girls' Primary School, Belfast.

The CCMS have advised that there may be a requirement for a capital scheme to facilitate the amalgamation and the future long-term needs of the schools and have requested approval from the department for a feasibility study to be carried out,

prior to the publication of a development proposal, to determine the recommended option for addressing both schools' future accommodation needs. This request is currently being considered.

Primary School Pupils in the Ards Peninsula Area

Mr Easton asked the Minister of Education to detail the current pupil figures for each primary school in the Ards peninsula area. (AQW 559/08)

Ms Ruane: The latest available school enrolment information relates to the 2006/07 academic year.

ENROLMENT FIGURES FOR PRIMARY SCHOOLS IN THE ARDS DISTRICT COUNCIL AREA

School Name	Total pupils
Abbey Primary School	623
Alexander Dickson Primary School	153
Andrews Memorial Primary School	366
Ballykeigle Primary School	59
Ballyvester Primary School	73
Ballywalter Primary School	175
Carrickmannon Primary School	87
Carrowdore Primary school	141
Castle Gardens Primary School	344
Comber Primary School	369
Donaghadee Primary School	417
Greyabbey Primary School	76
Killinchy Primary School	309
Kircubbin Primary School	104
Kirkistown Primary School	101
Londonderry Primary School	313
Loughries Primary School	72
Millisle Primary School	143
Newtownards Model Primary School	375
Portaferry Integrated Primary School	83
Portavogie Primary School	197
Regent House School Preparatory Department	137
St. Anne's Primary School	34
St. Finian's Primary School	126

School Name	Total pupils
St. Mary's Primary School, Ballygowan	3
St. Mary's Primary School, Comber	37
St. Mary's Primary School, Kircubbin	122
St. Mary's Primary School, Portaferry	236
St. Patrick's Primary School	89
Victoria Primary School	556
Victoria Primary School, Ballyhalbert	136
West Winds Primary School	156

Source: NI School Census.

Note:

- Figures for primary schools include children in nursery, reception and Year 1 – 7 classes.
- Schools in the Ards District Council area have been used as representative of those located in the Ards peninsula.

Donaghadee High School

Mr Easton asked the Minister of Education to detail the current pupil figures for Donaghadee High School, broken down by form year, and the special needs section. (AQW 560/08)

Ms Ruane: The latest available school enrolment information relates to the 2006/07 academic year. The information requested is as follows:

Year Group	Pupils attending mainstream classes	Pupils in a Special Unit	Total
8	19	13	32
9	38	25	63
10	27	18	45
11	55	0	55
12	53	0	53
Total	192	56	248

Source: NI School Census.

Retired Teachers

Mr Butler asked the Minister of Education to detail the number of retired teachers who have returned to, or are currently in, paid employment in non-teaching positions in (i) her department; (ii) Education and Library Boards; (iii) Regional Training Unit; (iv) the Catholic Council for Maintained Schools; and (v) other bodies that fall within her department's responsibility,

on a temporary and permanent basis, for the last year for which statistics are available. (AQW 573/08)

Ms Ruane: This information requested is not routinely collected by the Department of Education or the sponsor bodies which fall within its area of responsibility. However the Regional Training Unit has advised the Department that currently there are nineteen retired head teachers / school leaders in temporary employment with them, NICIE has advised that it employs one retired teacher in its core staff and CnaG has advised that it employs one teacher who took voluntary redundancy but who is in receipt of a teachers pension.

Teaching of Creationism in Schools

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 215/08, to detail the recommendations and advice given to her department by the Council for the Curriculum, Examinations and Assessment, in relation to meetings it has had with interested parties in relation to the teaching of (i) evolution; (ii) creationism; and (iii) Intelligent Design, in schools in Northern Ireland. (AQW 633/08)

Ms Ruane: CCEA has a statutory duty to advise me on school curriculum issues. In formulating advice, CCEA tells me that account is taken of the views of relevant interested parties. On this matter, CCEA has on occasion met with interested parties over recent years and listened carefully to their views. CCEA's advice to the Department remains that, while the revised curriculum provides greater flexibility for teachers to tailor provision for their pupils and greater opportunity for alternative views to evolution to be explored, there must be a distinction between teaching an evidence based approach to scientific theories and knowledge and exploring other beliefs about how the world came into existence.

Creationism

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 208/08, to clarify whether or not, under the revised curriculum, (i) parents, on behalf of their children; and (ii) pupils, on their own behalf, may request that other explanations of the origin and development of life be taught as scientific explanations in science class, and not restricted to Religious Education; and to confirm that teachers may do so, if such a request is granted by the headmaster or Board of Governors of the school. (AQW 635/08)

Ms Ruane: The Department of Education does not tell teachers how to teach; that is a matter for their professional judgement and the revised curriculum

provides greater flexibility for teachers to tailor their provision to best meet the needs and interests of their pupils.

The Council for the Curriculum, Examinations and Assessment (CCEA) has a statutory duty to advise me on the school curriculum. Its professional advice is that it is important to distinguish between teaching an evidence based approach to scientific theories and knowledge in science lessons, and exploring other beliefs about how the world came into existence, which could take place in other subjects such as RE.

Fair Employment Practices in WELB

Mr Bresland asked the Minister of Education to detail the fair employment practices within the Western Education and Library Board; and to provide a breakdown of the number of staff employed at each grade, and their religious background. (AQW 642/08)

Ms Ruane: The Western Education and Library Board (the Board) has advised that it is committed to fair employment practices and positively promotes equality of opportunity in accordance with Section 75 of the Northern Ireland Act 1998. The Board is opposed to all forms of unlawful discrimination, direct or indirect, against any person in the recruitment and selection process, in training, or in any other way. All staff involved in the recruitment and selection process are trained in accordance with agreed procedures on recruitment and selection, including equal opportunities awareness training. The Board also ensures that advertisements do not indicate or appear to indicate an intention to discriminate in the recruitment or selection and it includes an equal opportunities statement in all its advertisements.

In compliance with the Fair Employment (Monitoring) Regulations (NI) 1999 the Board undertakes to submit an annual monitoring return to the Equality Commission in respect of all its applicants, employees, appointees, promotees and leavers. It also undertakes, for presentation to the Equality Commission, a triennial review of its staff detailing any affirmative action which is required to be taken arising from an analysis of same.

The information in the attached table relates to non-teaching headquarter/centre-based staff only, i.e. school-based staff are excluded.

WESTERN EDUCATION AND LIBRARY BOARD: RELIGIOUS BACKGROUND OF NON-TEACHING HEADQUARTER/CENTRE-BASED STAFF

Salary Band (see note below)	Protestant	Catholic	Neither Protestant or Catholic	Non Determined	Total
1	39	83	2	2	126
2	46	84	2	0	132
3	23	52	3	2	80
4	5	7	0	0	12
Total	113	226	7	4	350

The table shows the perceived religious background of these staff as at 1 January 2007 broken down by salary band. The information is not available for publication by grade.

Note

Salary Band 1: Clerical Officer to Senior Clerical Officer

Salary Band 2: Executive Officer to Administrative Officer

Salary Band 3: Senior Administrative to Education Officer

Salary Band 4: Assistant Senior Education Officer to Chief Executive

School Amalgamations

Mr Shannon asked the Minister of Education what consideration she has given to the use of the land available at Killyleagh High School, as a suitable site for the amalgamation of Down Academy and Rowallane Integrated High School. (AQW 656/08)

Ms Ruane: Development proposals have been published seeking the closure of Down Academy Controlled Integrated High School and the establishment of a new Grant maintained Integrated school, Blackwater Integrated College, which would incorporate the pupils from Down Academy and the independent school, Rowallane Integrated College.

The interim Board of Governors of the proposed new school have been taking forward a feasibility study for the proposed new college and this will consider site options for a new school. They have indicated in their published development proposal a preference for the new school to be sited in the greater Crossgar area.

The interim Board of Governors have not as yet proposed any specific site to the department.

School Amalgamations

Mr Shannon asked the Minister of Education what consideration she has given to the use of a greenfield site at Crossgar, as a suitable site for the amalgamation

of Down Academy and Rowallane Integrated High School. (AQW 657/08)

Ms Ruane: Development proposals have been published seeking the closure of Down Academy Controlled Integrated High School and the establishment of a new Grant maintained Integrated school, Blackwater Integrated College, which would incorporate the pupils from Down Academy and the independent school, Rowallane Integrated College.

The interim Board of Governors of the proposed new school have been taking forward a feasibility study for the proposed new college and this will consider site options for a new school. They have indicated in their published development proposal a preference for the new school to be sited in the greater Crossgar area.

The interim Board of Governors have not as yet proposed any specific site to the department.

Education Welfare Officers

Mr McLaughlin asked the Minister of Education what is her assessment of whether or not it is appropriate to evaluate Education Welfare Officers' posts using the NJC job evaluation scheme; and of whether or not this adequately reflects the knowledge, skills and roles performed by Education Welfare Officers in the context in which they work. (AQW 669/08)

Ms Ruane: The Education and Libraries Boards, as employers, are responsible for the arrangements used to evaluate positions and determine pay. The Boards have advised that the grading of Education Welfare Officers is largely determined by a national and agreed process of Job Evaluation. This process takes account of a range of factors relating to the job including supervisory responsibility, creativity, contacts, decision making, knowledge and skills (including qualification), and work context and is regarded as much fairer than a determination solely based on qualification. It is for the Boards to decide if this is no longer appropriate.

School Budgets

Mr O'Loan asked the Minister of Education to specify the exact date upon which the alteration to the funding arrangements for allocating budgets for equipment and fixtures for new schools took effect, in all Education and Library Board areas. (AQW 672/08)

Ms Ruane: The Department of Education reviewed the methodology for allocating budgets for furniture & equipment in 2003 with the new methodology being introduced in December 2003. The revised methodology is based on approved schedules of

accommodation and standard furniture and equipment lists and has been applied to all new major capital projects announced since 2004. Prior to this the budgets were allocated as a percentage of the estimated construction costs.

School Budgets

Mr O'Loan asked the Minister of Education to advise whether or not budgets are set for equipment and fixtures for new primary schools, based on the actual capital costs of the building of the school, or on the original estimated capital costs. (AQW 673/08)

Ms Ruane: The Department of Education reviewed the methodology for allocating budgets for furniture & equipment in 2003 with the new methodology being introduced in December 2003. The revised methodology is based on approved schedules of accommodation and standard furniture and equipment lists and has been applied to all new major capital projects announced since 2004. Prior to this the budgets were allocated as a percentage of the estimated construction costs.

After-School Facilities

Mr O'Loan asked the Minister of Education to detail the current and future provision for after-school facilities for children with special needs in the North Antrim area. (AQW 675/08)

Ms Ruane: Almost 500 (40%) of our schools are currently being funded as Extended Schools under The Children and Young People Funding Package to

support activities before and after the traditional school day, based on each schools' particular circumstances. 73 of these schools, all of whom have registered pupils with special needs are located within the NEELB area of which 18 (25%) are located within the North Antrim constituency. Each of these schools offer a varied range of after school programmes which includes activities aimed at raising attainment levels (homework clubs, ICT skills, languages, science clubs, specialist clubs) and fostering the health and well-being of the children (healthy eating, first aid, health and fitness, sports skills, drama and dance clubs, art craft and design). Schools which are not funded through the Extended Schools programme can also offer these services on a voluntary basis whilst others may have secured external funding from various sources such as Neighbourhood Renewal or the Lottery.

The outcome of the CSR will impact on the future provision of these activities.

Legal Proceedings Involving Education and Library Boards

Mr Storey asked the Minister of Education to detail the amount of compensation paid in respect of legal proceedings involving Education and Library Boards, in each of the last five years. (AQW 680/08)

Ms Ruane: The information detailed in the table below has been provided by each Education and Library Board:

Amount of Compensation Paid in respect of legal proceedings involving Education and Library Boards in each of the last 5 years:						
Year	BELB	NEELB	SEELB	SELB	WELB	Total
2002/03	£189,182.14	£148,437.82	£170,138.46	£122,337.09	£65,760.00	£695,855.51
2003/04	£224,397.10	£214,095.90	£210,350.00	£85,592.80	£26,445.58	£760,881.38
2004/05	£132,104.89	£159,257.00	£266,750.00	£231,025.00	£118,950.00	£908,086.89
2005/06	£258,712.66	£81,176.00	£197,743.99	£162,373.37	£69,250.00	£769,256.02
2006/07	£291,576.08	£164,650.00	£180,864.00	£198,300.00	£185,857.35	£1,021,247.43

Iontaobhas na Gaelscolaíochta

Mr McCausland asked the Minister of Education to detail (i) the current trustees of Iontaobhas na Gaelscolaíochta; (ii) how each trustee was appointed; (iii) the date of appointment of each trustee; and (iv) the duration of such appointments. (AQW 705/08)

Ms Ruane:

(i) The membership of the trustees is as follows:

Board Member	Representing
Seán Mag Uidhir (Chair)	DE
Dónall Ó Baoill	DE
Seán Ó Coinn	Comhairle
Séamus de Napier	Comhairle
Seán Mac Goill	Co-optee
Muireann Ní Mhóráin	DE
Roise Ní Bhaoill	DE

(ii) The trustees were appointed under the terms of the trust deed.

(iii) The date of appointment for each trustee is as follows:

Board Member	Date Appointed
Seán Mag Uidhir (Chair)	20 February 2001
Dónall Ó Baoill	20 February 2001
Seán Ó Coinn	01 April 2007
Séamus de Napier	20 February 2001
Seán Mac Goill	20 February 2002
Muireann Ní Mhóráin	17 January 2002
Roise Ní Bhaoill	17 January 2002

(iv) Under the terms of Iontaobhas na Gaelscolaíochta's Declaration of Trust, a term of office lasts for 4 years and each trustee can serve a maximum of 2 consecutive terms.

Enrolment Numbers

Mr McKay asked the Minister of Education to detail the number of pupils on the roll in each of the primary schools in the Moyle District Council area, in (a) 2001/02; (b) 2002/03; (c) 2003/04; (d) 2004/05; (e) 2005/06; and (f) 2006/07. (AQW 728/08)

Ms Ruane: The information requested is as follows:

PUPILS ENROLLED AT PRIMARY SCHOOLS IN THE MOYLE DISTRICT COUNCIL AREA

2001/02

School name	Enrolment
Armoy Primary School	68
Ballycastle Primary School	110
Barnish Primary School	75
Bushmills Primary School	161
Dunseverick Primary School	110
Glenann Primary School	57
Mosside Primary School	17
St Ciarán's Primary School	79
St Mary's Primary School	5
St Mary's Primary School, Glenariff	219
St Olcan's Primary School	70
St Patrick's & St Brigid's Primary School	512
St Patrick's Primary School	105
Straidbilly Primary School	61

2002/03

School name	Enrolment
Armoy Primary School	62
Ballycastle Primary School	97
Barnish Primary School	84
Bushmills Primary School	145
Dunseverick Primary School	110
Glenann Primary School	54
St Ciarán's Primary School	76
St Mary's Primary School	7
St Mary's Primary School, Glenariff	216
St Olcan's Primary School	62
St Patrick's & St Brigid's Primary School	491
St Patrick's Primary School	117
Straidbilly Primary School	62

2003/04

School Name	Enrolment
Armoy Primary School	61
Ballycastle Primary School	89
Barnish Primary School	89
Bunscoil An Chastil	35
Bushmills Primary School	138

School Name	Enrolment
Dunseverick Primary School	113
Glenann Primary School	50
St Ciaran's Primary School	78
St Mary's Primary School	4
St Mary's Primary School, Glenariff	205
St Olcan's Primary School	62
St Patrick's & St Brigid's Primary School	473
St Patrick's Primary School	130
Straidbilly Primary School	66

2004/05

School Name	Enrolment
Armoy Primary School	61
Ballycastle Primary School	82
Barnish Primary School	86
Bunscoil An Chastil	43
Bushmills Primary School	131
Dunseverick Primary School	114
Glenann Primary School	53
St Ciaran's Primary School	77
St Mary's Primary School	3
St Mary's Primary School, Glenariff	211
St Olcan's Primary School	65
St Patrick's & St Brigid's Primary School	441
St Patrick's Primary School	121
Straidbilly Primary School	78

2005/06

School Name	Enrolment
Armoy Primary School	59
Ballycastle Primary School	72
Barnish Primary School	94
Bunscoil An Chastil	61
Bushmills Primary School	118
Dunseverick Primary School	129
Glenann Primary School	46
St Ciaran's Primary School	69
St Mary's Primary School	4
St Mary's Primary School, Glenariff	208
St Olcan's Primary School	62

School Name	Enrolment
St Patrick's & St Brigid's Primary School	447
St Patrick's Primary School	130
Straidbilly Primary School	74

2006/07

School Name	Enrolment
Armoy Primary School	57
Ballycastle Primary School	100
Barnish Primary School	89
Bunscoil An Chastil	71
Bushmills Primary School	120
Dunseverick Primary School	128
Glenann Primary School	48
St Ciaran's Primary School	69
St Mary's Primary School	4
St Mary's Primary School, Glenariff	208
St Olcan's Primary School	55
St Patrick's & St Brigid's Primary School	410
St Patrick's Primary School	125
Straidbilly Primary School	78

Source: NI school census.

Note: Figures include children in nursery, reception and Year 1 – Year 7 classes.

Enrolment Numbers

Mr McKay asked the Minister of Education to detail the number of pupils on the roll in each of the primary schools in the Ballymena Borough Council area, in (a) 2001/02; (b) 2002/03; (c) 2003/04; (d) 2004/05; (e) 2005/06; and (f) 2006/07. (AQW 729/08)

Ms Ruane: The information requested is as follows:

PUPILS ENROLLED AT PRIMARY SCHOOLS IN THE BALLYMENA BOROUGH COUNCIL AREA

2001/02

School Name	Enrolment
All Saints Primary School	214
Ballee Primary School	101
Ballykeel Primary School	317
Ballymena Primary School	334
Braid Primary School	29

School Name	Enrolment
Braidside Integrated Primary School	292
Broughshane Primary School	325
Buick Memorial Primary School	351
Camphill Primary School	337
Carnaghts Primary School	104
Carniny Primary School	275
Clough Primary School	105
Dunclug Primary School	210
Fourtowns Primary School	240
Glenravel Primary School	101
Gracehill Primary School	398
Harryville Primary School	143
Hazelbank Primary School	92
Kells & Connor Primary School	203
Kirkinriola Primary School	55
Lisnamurrican Primary School	37
Longstone Primary School	38
Millquarter Primary School	84
Moorfields Primary School	186
Portglenone Primary School	179
St Joseph's Primary School, Ahoghill	24
St Joseph's Primary School, Ballymena	107
St Louis' Convent Primary School	236
St Mary's Primary School, Portglenone	218
St Mary's Primary School, Ballymena	76
St Mary's Primary School Glenravel	83
St Patrick's Primary School Aughercloney	25
The Diamond Primary School	110
Tildarg Primary School	75

2002/03

School Name	Enrolment
All Saints Primary School	218
Ballee Primary School	103
Ballykeel Primary School	309
Ballymena Primary School	320
Braid Primary School	33
Braidside Integrated Primary School	317
Broughshane Primary School	304
Buick Memorial Primary School	368

School Name	Enrolment
Camphill Primary School	334
Carnaghts Primary School	116
Carniny Primary School	257
Clough Primary School	113
Dunclug Primary School	207
Fourtowns Primary School	252
Glenravel Primary School	104
Gracehill Primary School	416
Harryville Primary School	143
Hazelbank Primary School	103
Kells & Connor Primary School	206
Kirkinriola Primary School	59
Lisnamurrican Primary School	34
Longstone Primary School	41
Millquarter Primary School	85
Moorfields Primary School	190
Portglenone Primary School	178
St Joseph's Primary School, Ahoghill	20
St Joseph's Primary School, Ballymena	106
St Louis' Convent Primary School	251
St Mary's Primary School, Portglenone	201
St Mary's Primary School, Ballymena	71
St Mary's Primary School Glenravel	90
St Patrick's Primary School Aughercloney	23
The Diamond Primary School	108
Tildarg Primary School	78

2003/04

School Name	Enrolment
All Saints Primary School	220
Ballee Primary School	88
Ballykeel Primary School	307
Ballymena Primary School	348
Braid Primary School	27
Braidside Integrated Primary School	338
Broughshane Primary School	293
Buick Memorial Primary School	394
Camphill Primary School	328
Carnaghts Primary School	114
Carniny Primary School	257

School Name	Enrolment
Clough Primary School	124
Dunclug Primary School	164
Fourtowns Primary School	258
Glenravel Primary School	112
Gracehill Primary School	414
Harryville Primary School	137
Hazelbank Primary School	100
Kells & Connor Primary School	196
Kirkinriola Primary School	63
Lisnamurrican Primary School	29
Longstone Primary School	51
Millquarter Primary School	90
Moorfields Primary School	195
Portglenone Primary School	175
St Joseph's Primary School, Ahoghill	17
St Joseph's Primary School, Ballymena	106
St Louis' Convent Primary School	252
St Mary's Primary School, Portglenone	205
St Mary's Primary School, Ballymena	66
St Mary's Primary School Glenravel	88
St Patrick's Primary School Aughercloney	23
The Diamond Primary School	111
Tildarg Primary School	71

2004/05

School Name	Enrolment
All Saints Primary School	220
Ballee Primary School	87
Ballykeel Primary School	309
Ballymena Primary School	359
Braid Primary School	28
Braidside Integrated Primary School	345
Broughshane Primary School	312
Buick Memorial Primary School	387
Camphill Primary School	328
Carnaghts Primary School	110
Carniny Primary School	263
Clough Primary School	131
Dunclug Primary School	141
Fourtowns Primary School	242

School Name	Enrolment
Glenravel Primary School	117
Gracehill Primary School	434
Harryville Primary School	133
Hazelbank Primary School	91
Kells & Connor Primary School	192
Kirkinriola Primary School	72
Lisnamurrican Primary School	27
Longstone Primary School	60
Millquarter Primary School	103
Moorfields Primary School	198
Portglenone Primary School	174
St Joseph's Primary School, Ahoghill	24
St Joseph's Primary School, Ballymena	86
St Louis' Convent Primary School	266
St Mary's Primary School, Portglenone	219
St Mary's Primary School, Ballymena	53
St Mary's Primary School Glenravel	86
St Patrick's Primary School Aughercloney	26
The Diamond Primary School	115
Tildarg Primary School	72

2005/06

School Name	Enrolment
All Saints Primary School	217
Ballee Primary School	84
Ballykeel Primary School	318
Ballymena Primary School	363
Braid Primary School	28
Braidside Integrated Primary School	352
Broughshane Primary School	296
Buick Memorial Primary School	389
Camphill Primary School	325
Carnaghts Primary School	108
Carniny Primary School	252
Clough Primary School	139
Dunclug Primary School	126
Fourtowns Primary School	235
Glenravel Primary School	126
Gracehill Primary School	432
Harryville Primary School	140

School Name	Enrolment
Hazelbank Primary School	94
Kells & Connor Primary School	187
Kirkinriola Primary School	72
Lisnamurrican Primary School	31
Longstone Primary School	64
Millquarter Primary School	102
Moorfields Primary School	193
Portglenone Primary School	162
St Joseph's Primary School, Ahoghill	26
St Joseph's Primary School, Ballymena	77
St Louis' Convent Primary School	292
St Mary's Primary School, Portglenone	200
St Mary's Primary School, Ballymena	49
St Mary's Primary School Glenravel	86
St Patrick's Primary School Aughercloney	26
The Diamond Primary School	114

2006/07

School Name	Enrolment
All Saints Primary School	216
Ballee Primary School	71
Ballykeel Primary School	322
Ballymena Primary School	368
Braid Primary School	24
Braidside Integrated Primary School	343
Broughshane Primary School	321
Buick Memorial Primary School	382
Camphill Primary School	322
Carnaghts Primary School	109
Carniny Primary School	252
Clough Primary School	140
Dunclug Primary School	115
Fourtowns Primary School	228
Glenravel Primary School	131
Gracehill Primary School	435
Harryville Primary School	148
Hazelbank Primary School	105
Kells & Connor Primary School	194
Kirkinriola Primary School	78
Longstone Primary School	56

School Name	Enrolment
Millquarter Primary School	103
Moorfields Primary School	217
Portglenone Primary School	150
St Joseph's Primary School, Ahoghill	17
St Joseph's Primary School, Ballymena	73
St Louis' Convent Primary School	284
St Mary's Primary School, Ballymena	45
St Mary's Primary School, Portglenone	201
St Mary's Primary School Glenravel	87
St Patrick's Primary School Aughercloney	26
The Diamond Primary School	114

Note: Figures include children in nursery, reception and Year 1 – Year 7 classes.

Enrolment Numbers

Mr McKay asked the Minister of Education to detail the number of pupils on the roll in each of the primary schools in the Ballymoney Borough Council area, in (a) 2001/02; (b) 2002/03; (c) 2003/04; (d) 2004/05; (e) 2005/06; and (f) 2006/07. (AQW 730/08)

Ms Ruane: Pupils enrolled at primary schools in the Ballymoney Borough Council area

2001/02

School Name	Enrolment
Ballymoney Primary School	337
Balnamore Primary School	95
Bushvalley Primary School	109
Carrowreagh Primary School	97
Cloughmills Primary School	87
Dalriada School	145
Eden Primary School	72
Garryduff Primary School	61
Kilmoyle Primary School	86
Knockahollet Primary School	89
Landhead Primary School	54
Leaney Primary School	303
Lislagan Primary School	87
Rasharkin Primary School	56
St Anne's Primary School	79
St Brigid's Primary School (Ballymoney)	187

School Name	Enrolment
St Brigid's Primary School (Clogh Mills)	87
St Joseph's Primary School	249
St Patrick's Primary School (Loughguile)	171
St Patrick's Primary School (Rasharkin)	247
The Wm Pinkerton Memorial Primary School	67

2002/03

School Name	Enrolment
Ballymoney Primary School	307
Balnamore Primary School	93
Bushvalley Primary School	120
Carrowreagh Primary School	94
Cloughmills Primary School	93
Dalriada School	160
Eden Primary School	76
Garryduff Primary School	54
Kilmoyle Primary School	97
Knockahollet Primary School	78
Landhead Primary School	52
Leaney Primary School	305
Lislagan Primary School	84
Rasharkin Primary School	60
St Anne's Primary School	81
St Brigid's Primary School (Ballymoney)	187
St Brigid's Primary School (Clogh Mills)	88
St Joseph's Primary School	291
St Patrick's Primary School (Loughguile)	172
St Patrick's Primary School (Rasharkin)	239
The Wm Pinkerton Memorial Primary School	71

2003/04

School Name	Enrolment
Ballymoney Primary School	309
Balnamore Primary School	89
Bushvalley Primary School	129
Carrowreagh Primary School	98
Cloughmills Primary School	88
Dalriada School	156
Eden Primary School	79
Garryduff Primary School	64

School Name	Enrolment
Kilmoyle Primary School	103
Knockahollet Primary School	76
Landhead Primary School	47
Leaney Primary School	302
Lislagan Primary School	86
Rasharkin Primary School	57
St Anne's Primary School	80
St Brigid's Primary School (Ballymoney)	184
St Brigid's Primary School (Clogh Mills)	83
St Joseph's Primary School	283
St Patrick's Primary School (Loughguile)	178
St Patrick's Primary School (Rasharkin)	235
The Wm Pinkerton Memorial Primary School	72

2004/05

School Name	Enrolment
Ballymoney Primary School	318
Balnamore Primary School	87
Bushvalley Primary School	142
Carrowreagh Primary School	92
Cloughmills Primary School	80
Dalriada School	151
Eden Primary School	81
Garryduff Primary School	62
Kilmoyle Primary School	115
Knockahollet Primary School	76
Landhead Primary School	55
Leaney Primary School	306
Lislagan Primary School	92
Rasharkin Primary School	59
St Anne's Primary School	83
St Brigid's Primary School (Ballymoney)	183
St Brigid's Primary School (Clogh Mills)	84
St Joseph's Primary School	284
St Patrick's Primary School (Loughguile)	187
St Patrick's Primary School (Rasharkin)	224
The Wm Pinkerton Memorial Primary School	67

2005/06

School Name	Enrolment
Ballymoney Primary School	316
Balnamore Primary School	87
Bushvalley Primary School	154
Carrowreagh Primary School	87
Cloughmills Primary School	75
Dalriada School Prep. Dept.	146
Eden Primary School	86
Garryduff Primary School	64
Kilmoyle Primary School	124
Knockahollet Primary School	66
Landhead Primary School	61
Leaney Primary School	308
Lislagan Primary School	93
Rasharkin Primary School	59
St Anne's Primary School	76
St Brigid's Primary School (Ballymoney)	188
St BRigid's Primary School (Clogh Mills)	86
St Joseph's Ps	290
St Patrick's Primary School (Loughguile)	193
St Patrick's Primary School (Rasharkin)	228
The Wm Pinkerton Memorial Primary School	65

2006/07

School Name	Enrolment
Ballymoney Primary School	318
Balnamore Primary School	90
Bushvalley Primary School	147
Carrowreagh Primary School	81
Cloughmills Primary School	63
Dalriada School Prep. Dept.	147
Eden Primary School	91
Garryduff Primary School	63
Kilmoyle Primary School	128
Knockahollet Primary School	73
Landhead Primary School	55
Leaney Primary School	306
Lislagan Primary School	94
Rasharkin Primary School	63
St Anne's Primary School	73

School Name	Enrolment
St Brigid's Primary School (Ballymoney)	194
St BRigid's Primary School (Clogh Mills)	83
St Joseph's Primary School	292
St Patrick's Primary School (Rasharkin)	219
St Patrick's Primary School (Loughguile)	194
The Wm Pinkerton Memorial Primary School	73

Source: NI school census.

Note: 2. Figures include children in nursery, reception and Year 1 – Year 7 classes.

Training for School Governors

Mr K Robinson asked the Minister of Education what is her assessment of the current level of training available to school governors; what plans she has to ensure equality of provision; and to detail how she intends to monitor the quality of such governor training across the sectors. (AQW 760/08)

Ms Ruane: The governor training services have the potential to bring greater benefits to the local management of schools here. There is scope to promote greater efficiency in financial management through governor training. Also, I favour a more customised approach to training to support the governors of those schools facing particular challenges such as declining enrolments.

The Education and Training Inspectorate (ETI) has undertaken an assessment of governor training provision and this will be taken into account when the Education and Skills Authority (ESA) determines the future structure of this service and how it will operate. ESA will be accountable to my Department for its services and the ETI will retain the power to inspect this service and its impact on schools of all types.

Teacher Training Courses

Mr K Robinson asked the Minister of Education what initiatives she intends to bring forward to encourage more male students to enrol in teacher training courses; and to address the under-representation of male teachers in schools, in particular, primary schools. (AQW 795/08)

Ms Ruane: In the teaching profession, the gender balance has traditionally favoured women, particularly within the primary school sector. The providers of Initial Teacher Education (ITE) courses have been asked by the Department to draw attention to the under-representation of males within their Access Agreements (particularly in the primary sector) and to review their

recruitment procedures. As a result, the Higher Education Institutions have sought to encourage males to apply for ITE courses through a range of actions, including: ensuring that males are well represented in publicity materials for their ITE courses; targeting all male schools and male groups in mixed schools for career talks and presentations; and, meeting regularly with career teachers and senior staff to seek their help in encouraging males to apply for ITE courses.

Workplace 2010

Dr Farry asked the Minister of Education what discussions she has had with departmental staff based at Rathgael House, in relation to the relocation of jobs under the Workplace 2010 plan. (AQW 819/08)

Ms Ruane: Departmental staff based in Rathgael House have been regularly updated regarding developments in relation to the possible relocation of jobs under the Workplace 2010 Programme by my officials. The communications have included regular updates via the Departmental e-mail system, Departmental Briefing process, Intranet site and communications from my Permanent Secretary.

Enrolment Numbers

Mr S Wilson asked the Minister of Education to provide the exact enrolment figures of primary years 5, 6 and 7 at (i) Gaelscoil Na Daroige in Derry/Londonderry; (ii) Gaelscoil Ghleann Darach in Crumlin; and (iii) Gaelscoil Éanna in Glengormley. (AQW 848/08)

Ms Ruane: Gaelscoil Éanna opened in September 2007. Enrolment figures for this school are not yet available.

Neither Gaelscoil Na Daroige nor Gaelscoil Ghleann Darach had children of Year 5, 6 or 7 age in 2006/07. As these schools have only recently opened, they would not normally be expected to have children in primary years 5, 6 and 7.

Enrolment Numbers

Mrs I Robinson asked the Minister of Education to detail the number of pupils resident in the Republic of Ireland, but enrolled in schools in Northern Ireland in 2006/07; and 2007/08, broken down by (i) state controlled schools; (ii) Catholic maintained schools; (iii) integrated schools; and (iv) Irish-medium schools. (AQW 898/08)

Ms Ruane: Information for 2007/08 is not yet available.

Information on the number of children resident in the South of Ireland but attending schools in the North of Ireland is not collected. However, the number of children attending schools in the North of Ireland who are not domiciled here is as follows:

NON-DOMICILED PUPILS ATTENDING SCHOOLS IN NORTHERN IRELAND 2006/07

Education and Library Board Area	Primary	Post Primary	Total
Belfast	3	134	137
Western	116	102	218
North Eastern	0	0	0
South Eastern	7	1	8
Southern	9	83	92
Total	135	320	455

School Management Type	Primary	Post Primary	Total
Controlled schools	37	30	67
Catholic maintained schools	81	84	165
Integrated schools	11	15	26
Irish medium schools	3	0	3
Other schools	3	191	194

Source: NI school census.

Note:

- Figures include children normally resident in the South of Ireland and Boarders from outside the North of Ireland.
- Figures for primary schools include children in nursery, reception and Year 1 – 7 classes.

Enrolment Numbers

Mrs I Robinson asked the Minister of Education to detail the number of pupils resident in the Republic of Ireland, but enrolled in schools in Northern Ireland in 2007/08, broken down by Education and Library Board area. (AQW 899/08)

Ms Ruane: Information for 2007/08 is not yet available.

Information on the number of children resident in the South of Ireland but attending schools in the North of Ireland is not collected. However, the number of children attending schools in the North of Ireland who are not domiciled here is as follows:

**NON-DOMICILED PUPILS ATTENDING SCHOOLS IN
NORTHERN IRELAND 2006/07**

Education and Library Board Area	Primary	Post Primary	Total
Belfast	3	134	137
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Other schools	3	191	194

Source: NI school census.

Note:

- Figures include children normally resident in the South of Ireland and Boarders from outside the North of Ireland.
- Figures for primary schools include children in nursery, reception and Year 1 – 7 classes.

Enrolment Numbers

Mrs I Robinson asked the Minister of Education to detail the number of pupils resident in the Republic of Ireland, but enrolled in schools in Northern Ireland in 2007/08, broken down by (i) primary; and (ii) post-primary sector. (AQW 900/08)

Ms Ruane: Information for 2007/08 is not yet available.

Information on the number of children resident in the South of Ireland but attending schools in the North of Ireland is not collected. However, the number of children attending schools in the North of Ireland who are not domiciled here is as follows:

**NON-DOMICILED PUPILS ATTENDING SCHOOLS IN
NORTHERN IRELAND 2006/07**

Education and Library Board Area	Primary	Post Primary	Total
Belfast	3	134	137
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Other schools	3	191	194

Source: NI school census.

Note:

- Figures include children normally resident in the South of Ireland and Boarders from outside the North of Ireland.
- Figures for primary schools include children in nursery, reception and Year 1 – 7 classes.

Primary School Curriculum

Mr Hamilton asked the Minister of Education what advice she has given to primary school principals regarding the curriculum. (AQO 416/08)

Ms Ruane: I spoke to over 600 primary principals at a special curriculum conference on 24 May. At that conference, I explained that the revised curriculum is about giving our children the best possible education, raising standards in literacy and numeracy and giving teachers back more professional flexibility. All of this is supported by principals.

I told principals that the curriculum is being phased in to give them time to prepare and adjust, and that this new school year, 2007/8, is a transitional year. Transitional means that primary schools are starting to teach the revised curriculum in Years 1 and 5, drawing on their current lesson plans if they wish, and to plan ahead for next year. But we don't expect everything to be in place yet – the key is that the curriculum is in place by June 2010.

In terms of assessment, transitional means that schools will run the new INCAS assessment in literacy and numeracy this year for Year 5 pupils. However, they don't have to report the results to parents and the results won't be centrally collected this year; this first year is about schools getting used to running the assessment. Irish-medium schools will have access to INCAS but have the choice to complete the literacy module or not, given that pupils in these schools will

only recently have commenced formal bi-lingual education by the time they are in Year 5. My Department is working with CCEA and CnaG to develop a more appropriate literacy assessment tool. The voice-over for the numeracy module will be provided in Irish.

Furthermore, I encouraged principals to take advantage of the opportunities the curriculum now provides to give more emphasis on areas such as the Arts and PE that play an important part in a child's holistic development. That is why I am putting primary sports and languages programmes in place from this year to support schools in increasing their provision in these areas.

Transfer Test Replacement

Mr Storey asked the Minister of Education to outline her current timetable for bringing forward proposals for a replacement schools transfer system for Northern Ireland. (AQO 405/08)

Ms Ruane: Children transferring from primary to post-primary education in September 2009 will do so under the current arrangements. I am aware of the need to put in place suitable arrangements for children transferring from primary to post-primary education in 2010, and I will be bringing forward proposals as soon as possible. I am mindful of the current uncertainty affecting P5 teachers, pupils and their parents, but rather than impose artificial deadlines, the priority must be to use the time available to make the right decision for the children affected, within a broader view of the shape and nature of post-primary education.

Vetting of Workers

Miss McIlveen asked the Minister of Education to confirm that all workers who enter the grounds or vicinity of a school, and who are employed as part of a Public Private Partnership/Private Finance Initiative scheme, have been appropriately vetted. (AQO 468/08)

Ms Ruane: DE Circular 2006/06, "Child Protection: Recruitment of People to Work with Children and Young People In Educational Settings", provides guidance to employers on the groups of staff who should be subject to pre-employment checking. Where Boards or other employing authorities contract out services to the private sector, staff employed by private contractors to provide ancillary services should be subject to pre-employment checking where those staff will be working in educational settings and have regular contact with children and young people.

For example, catering staff who are in the school every day, taxi drivers who provide services to the

schools every day and those contractors employed by the Boards, come into contact with children and should be vetted.

Then there are those contractors who are on the school site to carry out major or minor refurbishment work. It is expected that these areas of work will be out of bounds. Children should not be allowed in the areas where builders or service engineers are working for health and safety reasons and these contractors should have no contact with children. There is therefore no reason to have these contractors vetted.

Similarly contractors or sub contractors who visit a school on an ad hoc basis to carry out one off or emergency repairs or service equipment would normally be escorted to and from the location by a member of the school staff. Children should be prevented from being in that area while work progresses. It is not necessary to have these contractors vetted.

The employing authority should at tender stage make it clear to private contractors that pre-employment checks must be carried out after a contract is awarded but before any work is undertaken. Where the contractor confirms that this has been done, the employing authority should ask the contractor to provide, in writing, and as part of the contract, the names of each individual working on the contract and confirmation that a clear vetting check has been obtained in respect of each before that individual starts work.

The same requirements apply to contractors engaged under the PFI Pathfinder Projects.

It is an offence for an individual on either the DHSSPS or DE List of persons prohibited from working with children or who are the subject of a disqualification order issued by the courts, to knowingly apply for, offer to do, accept or do any work, paid or unpaid, in a regulated position which gives them access to children. It is an offence for an individual to knowingly employ in a regulated position, offer work in a regulated position to, or procure work in a regulated position for, such a person, or to fail to remove such a person from such work. Anyone convicted of these offences is liable to punishment by imprisonment or fines or both.

Child protection arrangements in education are kept under continuous review and every effort is made to ensure that they are robust. I would like to take this opportunity to remind members that vetting is only one part of the process of keeping children safe. That said, I take any failures to comply with current requirements very seriously (as do my officials) and would ask the Member if she has any specific concerns to raise them with me directly.

Transfer Test Advice for Teachers

Dr Farry asked the Minister of Education what guidance she is giving teachers of pupils currently in year five, regarding any transfer arrangements likely to apply when these pupils reach year seven.

(AQO 457/08)

Ms Ruane: I am aware of the need to put in place suitable transfer arrangements for children transferring from primary to post-primary education in 2010, and I will be bringing forward proposals as soon as possible. I am mindful of the current uncertainty affecting P5 teachers, pupils and their parents, and guidance will be prepared at the earliest opportunity. In the meantime teachers will be kept informed of any significant developments.

Irish-Medium Schools

Mr Brolly asked the Minister of Education what discussions officials in her department have held with Irish language education groups, in relation to safeguarding the education of over 3,200 children, currently attending Irish-medium schools.

(AQO 478/08)

Ms Ruane: To ask the Minister of Education what discussions officials in her department have held with Irish language education groups, in relation to safeguarding the education of over 3,200 children, currently attending Irish-medium schools.

Officials within my Department are currently co-ordinating a Review of Irish-medium Education with the aim of ensuring the highest quality education outcomes for all pupils in Irish-medium education.

The Project Board and Advisory Group of the Review of Irish-medium Education contain representation from a wide cross-section of Irish language interests and groups.

My Department agrees, and reviews regularly, an operational plan with Comhairle na Gaelscolaíochta which has an overall objective to promote and support the strategic development of, and provide guidance and advice to, the Irish medium sector.

In addition it liaises with Iontaobhas na Gaelscolaíochta on its development plans for the sector.

The Department has engaged POBAL to undertake a research project on the Special Educational Needs of Bilingual Children.

Furthermore, my Department's officials and members of the ETI have held discussions, on a range of issues relating to Irish-medium Education, with counterparts in the Department of Education and Science in the south.

The Department continues to have regular contact with individual Irish-medium Schools and representatives of the sector on a range of issues relevant to the sector by way of correspondence, telephone calls and ad-hoc discussions at conferences and other meetings.

Future of A-Levels

Mr Burnside asked the Minister of Education what action she proposes to take in respect of the future of A-levels in Northern Ireland.

(AQO 410/08)

Ms Ruane: A levels will remain important qualifications for post-16 pupils in schools. The revision and re-accreditation of A level specifications has been completed with the new specifications being introduced from September 2008. One change made is to introduce 'stretch and challenge' within the A2 units, with more demanding questions. A new A* grade will be introduced to reward the highest achievers in our schools, without changing the current standards for grades A-E. This new grade will be first awarded in 2010.

The member will be aware of changes announced by the Department for Children, Schools and Families in respect of the regulation of all post 14 qualifications in England. This will separate regulation from the responsibility for the development of qualifications. CCEA will remain the regulator for all qualifications here, with the exception of NVQs. With the establishment of ESA in April 2009, we are looking at how best to accommodate the important regulatory role within the new education structures and will certainly be informed by the models that have emerged elsewhere on these islands.

Children From the Travelling Community

Mr McHugh asked the Minister of Education what steps she is taking to develop teaching arrangements for children from the travelling community.

(AQO 475/08)

Ms Ruane: I recognise the serious difficulties that many children from the Travelling community face in terms of attendance and achievement and the subsequent need for additional support.

Schools are provided with additional Common Funding Formula money, which works out as £943 per Traveller child this year 2007/08. Each school chooses how to spend this money to meet the needs of the children, and may spend it on extra teaching support if that is required. Ear-marked funding to support children from the Travelling community is also allocated to each education and library board. £353k has been allocated for 2007/08. Boards use this funding to

supply schools with a variety of Traveller related services, and each board spends part of this funding on extra teaching support.

Classroom Teachers

Mr K Robinson asked the Minister of Education what action she has taken in respect of the administrative burden placed on classroom teachers. (AQO 409/08)

Ms Ruane: I recognise that many classroom teachers are required to perform routine administrative tasks alongside their teaching duties. This is one of a number of issues raised by the Curran Inquiry in its Final Report Part 2.

The Report recommended that a contextualised agreement with features similar to the English agreement on *Raising Standards and Tackling Workload* should be reached in the North of Ireland by the Teachers' Negotiating Committee. The Report did not draw any comparisons with arrangements in the South of Ireland, as teachers here have historically enjoyed terms and conditions of service broadly similar to those of their counterparts in England and Wales.

In accepting that measures should be introduced here similar to those introduced in England and Wales to limit teacher workload, including the delegation of routine administrative tasks, the Curran Committee took the view that the English proposals would require adaptation for the North of Ireland and that the timetable for their introduction may vary.

The implementation of the agreement in England and Wales was achieved through a number of strategies, including reform and remodelling of the school workforce (for example, the use of teaching assistants to undertake some teaching-type duties and the employment of additional ancillary staff to relieve teachers of routine administrative tasks). Such strategies were not considered appropriate by the teacher unions here and, as a result, estimates of the cost of implementing the Curran recommendations, at over £80m a year, were based on the assumption that significant numbers of additional teachers would need to be employed.

In the absence of additional resources in the 2004 and 2005 budgets, successive direct rule ministers asked the Teachers' Negotiating Committee to consider whether any of the key Curran recommendations could be progressed through alternative ways of working. This is currently the subject of ongoing discussion between both sides of the Teachers' Negotiating Committee through its Joint Working Party, although the recommendations in relation to Planning, Preparation and Assessment Time and Teaching Principals' Time were identified as more

pressing priorities than the delegation of routine administrative tasks.

Antisocial Behaviour

Mr Cree asked the Minister of Education what action she is taking to identify pupils who are likely to engage, or who are currently engaged, in antisocial behaviour, and to support schools in challenging antisocial behaviour. (AQO 438/08)

Ms Ruane: Pupils who present with challenging behaviour are identified by their school. Support is available to the school from the relevant Education and Library Board when the school determines that it can no longer manage the pupil within its own resources.

This support can include assistance from staff in the multi-disciplinary Behaviour Support Team, or the Educational Psychology Service, or the Education Welfare Service depending on the nature of the problems identified.

Support within the school environment may not be effective for some children and young people. For some of them, a detailed psychological assessment may point to a more acute underlying emotional disturbance that may warrant a special school placement. For others, there may be a need for a period of short-term specialised provision within, for example a Pupil Referral Unit.

For a small number of pupils, usually in the 14-16 age range, a return to mainstream schooling may not be appropriate and they are, therefore, placed in alternative education provision.

Attention Deficit Hyperactivity Disorder

Mr Elliott asked the Minister of Education what action she is taking to identify and support pupils with Attention Deficit Hyperactivity Disorder, considering its significant impact on educational attainment. (AQO 442/08)

Ms Ruane: The Department of Education has in place a special educational needs framework setting out clear statutory duties on schools and Education and Library Boards to identify, assess and in appropriate cases make special educational provision to meet the needs of children with special educational needs. This framework applies to support for all children with special educational needs, including ADHD.

In addition, the Department of Education issued a Code of Practice on the Identification and Assessment of Special Educational Needs in 1998 to provide detailed guidance to schools and Boards on the framework and the various statutory duties that apply. A Supplement to

this Code was issued in 2005, which updated the previous guidance following the introduction of the Special Educational Needs and Disability (NI) Order 2005.

Education and Library Board's Psychology Services and Behaviour Support Services provide advice to schools in relation to the management of pupils with ADHD, in order that schools can provide the most appropriate support for their pupils. The type of support offered is dependant on the needs of the school or child but can range from advice on writing an Individual Behaviour Plan to placement in a primary or post-primary guidance centre. In more severe cases Boards maintain Statements of Special Educational Need for pupils and provide funding for additional support, such as classroom assistance, to assist the school to meet the pupil's needs.

School staff can also receive advice and training in behaviour support strategies, appropriate in the support of ADHD pupils. Some Board officers deliver in-service training to individual schools and to classroom assistants.

In 2004 the Department of Education published two information booklets on how best to support children with ADHD, prepared by the Education and Library Boards – one a practical guide for parents and carers and the other a practical guide for schools.

North South Exchange Trust

Mrs O'Neill asked the Minister of Education to outline the progress made to date on the proposal to establish a North South Exchange Trust, in conjunction with the Department of Education and Science in the Republic of Ireland. (AQO 474/08)

Ms Ruane: Under the Good Friday Agreement (1998), education is identified as one of the areas suitable for 'Common Policy, Separate Implementation' co operation.

In December 1999, the North South Ministerial Council (NSMC) agreed a programme of work for co-operation in the Education Sector including school, youth and teacher exchanges. Following discussions with the two Departments, the North South Exchange Consortium (NSEC) was formed, comprising the British Council, Léargas and the Youth Council. At the request of the two Departments, the Consortium developed and presented proposals to both education departments on an outline design and structure for a Joint Delivery Agency. The Departments engaged in discussions with the Consortium in relation to the potential of establishing a 'Charitable Trust'. This included developing a full economic appraisal and text of a trust deed.

The evolving nature of a delivery agency to manage exchequer funding requires appropriate governance and accountability arrangements to be put in place. The Consortium's solicitors have advised that changes made to the draft deed (to reflect DE and DES requirements) make it unlikely that the trust would qualify as a charitable body. This has resulted in the preferred option of a charitable trust being untenable for the Consortium members. Officials in both departments have been working to progress this issue, and I have agreed with my Ministerial counterpart in the South to carry out, in tandem with the Department of Education and Science, a formal review of the North South Exchange Consortium initiative. The aim of the review is to identify a range of options for future progress in this area in the light of current and future funding availability.

Both Departments have agreed to proceed with this proposed review and have agreed a Terms of Reference for the review. The two Departments are in the process of appointing suitable people from the North and South of Ireland to comprise the review team.

Omagh Educational Village

Mr McElduff asked the Minister of Education if she will provide an update on plans to develop an educational village at the Lisanelly site in Omagh. (AQO 472/08)

Ms Ruane: The Department of Education has been liaising with the Department of Finance and Personnel and the Department for Social Development on the possible acquisition of the Lisanelly site from the Ministry of Defence (MOD). The MoD has been advised of the administration's interest. The acquisition of the site and its development for educational and other purposes will be subject to the availability of funding and the approval of the Executive.

Newbuild Programmes

Mr McQuillan asked the Minister of Education to outline her spending plans for school newbuild programmes in the Coleraine Borough Council area, in 2007/2008. (AQO 398/08)

Ms Ruane: Work on the construction of a new school building for Carnalridge P.S. was started in December 2006 and is expected to be completed in December 2007. It is estimated that the capital spend on the project in 2007/08 will be approximately £1.5 million.

EMPLOYMENT AND LEARNING

Small Businesses

Mr O'Loan asked the Minister for Employment and Learning what support, financial and other, his department is making available to encourage small businesses to employ young adults, who are training in a certain vocation. (AQW 676/08)

The Minister for Employment and Learning (Sir Reg Empey): The *Training for Success* provision has replaced *Jobskills* from 3rd September 2007, and offers professional and technical training to young people age 16 – 24 years. The provision has been developed with the needs of both employers and young people in mind, and apprenticeships under this provision are available to all businesses.

All apprentices follow a training framework that is approved for delivery and developed in conjunction with the relevant industry. To maintain both the quality and relevance of content, Sector Skills Councils and Standard Setting Bodies are required to take the views of employers, including small businesses, into consideration when developing the frameworks. Small businesses, therefore, have an ideal opportunity to ensure that their particular skills needs are represented in the professional and technical training that is being provided, and thereby ensure that the young people undergoing training are ideally equipped for employment.

Whilst the programme is demand-led, the Department has budgeted for £50 million to cover all aspects of the programme, which also includes a direct financial incentive for employers to take on apprentices.

Adult Further Education Courses

Mrs M Bradley asked the Minister for Employment and Learning if he will intervene to reverse recent increases in charges for adult further education courses. (AQW 677/08)

Sir Reg Empey: Under the current arrangements between the Department and the Further Education sector, it is the responsibility of each individual college, not the Department, to decide what courses it wishes to offer, and what fees, including concessionary fees, it chooses to apply. The Department does not intervene in this process.

Job Ready Candidates

Mr Storey asked the Minister for Employment and Learning if he will confirm whether or not his department had decided to pay only the first £3 of

travel for 'Job Ready' candidates, before initiating its tender process for 'Job Ready' providers.

(AQW 702/08)

Sir Reg Empey: A standard contribution of £3, £5 or £9 to weekly travel costs is paid to Suppliers for all non-employed participants in the Job-Ready strand of Training for Success. This is based on the Contract Management area in which the Supplier is located.

Details of the proposed arrangements associated with travel costs were set out in the Training for Success: Professional and Technical Training Consultation Document dated July 2006. This was in advance of the tendering process taking place.

University of Ulster, Magee Campus

Mr McCausland asked the Minister for Employment and Learning what action he will take, in view of the disclosure that just one in five of the students at the University of Ulster's Magee campus is from a Protestant background. (AQW 704/08)

Sir Reg Empey: The University of Ulster is an autonomous institution responsible for its own policies and practices, including admissions.

The University reports that an Equality Impact Assessment was carried out in 2006 in respect of its Recruitment and Admissions Policy. In relation to the Magee campus, the Assessment noted a range of external contributory factors to the under representation of Protestant students, and that these were largely beyond the control of the University. For example, migration patterns show that Protestant students are substantially more likely to leave and study outside of Northern Ireland.

The University advises that a number of initiatives have been undertaken to redress the religious imbalance at the Magee campus. These include holding meetings with Head Teachers of schools which have a predominantly Protestant student population and which have been identified as providing low numbers of applicants. A number of talks and information days have been organised alongside various marketing activities. The University also intends to hold meetings with influential individuals or community organisations from the Protestant community, in order to encourage applications from pupils in Protestant schools.

Training for Success

Mr Boylan asked the Minister for Employment and Learning what steps he will take to ensure that level one trainees on the 'Training for Success' scheme will not be charged course fees, when they have secured an

apprenticeship in addition to enrolling on the course.
(AQW 715/08)

Sir Reg Empey: With the exception of travel allowances for apprentices the cost of training under Training for Success is funded by the Department. Job Ready trainees and Level 2 and Level 3 Apprentices are not required to pay enrolment or course fees.

Assistance for Low Income Families

Mr O'Loan asked the Minister for Employment and Learning to provide details of his department's strategy to provide assistance to children from low income families, in order to help them to be able to afford to attend university.
(AQW 751/08)

Sir Reg Empey: My Department has a range of measures in place designed to increase participation in higher education by students from low income backgrounds. In addition to fee loans, which are available to all students, and do not have to be repaid until earnings are over £15,000 per year, less well off students are eligible for a maintenance grant (up to £3,265 in academic year 2007/2008) and bursaries of at least £305 from the institutions. A range of supplementary allowances are available for students with children and/or a disability.

Merged Regional Colleges

Mr K Robinson asked the Minister for Employment and Learning what is his assessment of the level of enrolment in non-vocational classes in the new merged regional colleges; and to indicate whether or not the situation relating to college budgets has played a role in moving these figures away from their former levels.
(AQW 759/08)

Sir Reg Empey: Due to the nature of data capture in colleges, it is too early to have information on the level of college enrolments, including non-vocational enrolments, for the 2007/08 academic year. However, I can assure you that each of the six new colleges received an increase in the recurrent grant paid in the current academic year in comparison to the recurrent grant paid in the 2006/07 academic year.

Non-EU Students

Mr K Robinson asked the Minister for Employment and Learning to detail the number of students from non-EU countries that are currently studying at universities and further education colleges in Northern Ireland; and to indicate what type of support his department is making available to encourage overseas

students to choose higher and further education institutions in Northern Ireland.
(AQW 761/08)

Sir Reg Empey: The latest available data relates to the 2005/06 academic year when there were 1,575 enrolments from non-EU countries at Northern Ireland Higher Education Institutions and 121 students from non-EU countries enrolled at the Northern Ireland Further Education Colleges.

My Department plays its part in encouraging overseas students to study in Northern Ireland in a number of ways including participation in programmes such as the Prime Minister's Initiative and by providing funding to a number of international programmes including the Mitchell Scholarships and The International Association for the Exchange of Students for Technical Expertise (IAESTE). It continues to work with the British Council on the promotion of Northern Ireland as a study destination and also provides funding for the Overseas Research Student Awards Scheme (ORSAS).

Student Complaints

Mr McClarty asked the Minister for Employment and Learning what is his assessment of the issue of establishing an independent body for student complaints in Northern Ireland.
(AQW 766/08)

Sir Reg Empey: In my Department's policy consultation document "A Consultation on Proposals to Introduce Variable Deferred Tuition Fees, Access Agreements and a Review of the Student Complaints System", published in April 2004, consultees were asked whether an independent adjudicator should be established to hear student complaints in Northern Ireland and end the Visitor system in both Northern Ireland universities. The majority of responses were heavily weighted in favour of change to make the system more clearly independent of the universities.

In light of the consultation responses, it was agreed that the option to extend the remit of the Ombudsman, to include the adjudication of student complaints could be considered. The Office of the First Minister and Deputy First Minister (OFMDFM) agreed that this could be included in their proposed review of the Offices of the Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, following restoration of the Assembly.

OFMDFM has advised my Department that a timetable for consultation, implementation and amendments to the Commissioner for Complaints Order 1996 has yet to be set following restoration of the Assembly. When the review is carried out, the option to extend the Ombudsman's remit, to include the adjudication of student complaints, can be considered.

Northern Ireland Students Studying in the Republic of Ireland

Mr McClarty asked the Minister for Employment and Learning what plans he has to change the funding package for those students domiciled in Northern Ireland, who choose to take up tertiary education in the Republic of Ireland. (AQW 767/08)

Sir Reg Empey: Northern Ireland domiciled students studying at institutions of higher education in the Republic of Ireland are currently eligible for means-tested maintenance grants, maintenance loans and a non-means tested grant which covers the full amount of the registration fee charged by institutions. In light of the introduction of fee deferral arrangements and an enhanced student support package for students from Northern Ireland studying in the United Kingdom from 2006/2007, I am considering introducing similar arrangements for domiciled Northern Ireland students who study in the Republic of Ireland.

Student Financial Support

Mr McClarty asked the Minister for Employment and Learning what plans he has to change the current financial support package for students, specifically in relation to the upper threshold at which students can obtain the maximum maintenance grant. (AQW 768/08)

Sir Reg Empey: Following the recent announcement by the Department for Innovation, Universities and Skills (DIUS) regarding proposals to increase the maintenance grant threshold for English domiciled students, officials have been engaging with counterparts in DIUS and other regions of the UK to consider the implications for Northern Ireland. Any decision to change the current student finance package will have to be taken in the context of the current spending review.

Further Education College, Lisburn

Mr Craig asked the Minister for Employment and Learning if he will give an assurance that the new further education college in Lisburn will proceed, and to provide a revised timescale for the completion of this project. (AQO 397/08)

Sir Reg Empey: I am happy to inform the Assembly that contract negotiations with the East Down and Lisburn Education Partnership, who are the preferred bidder, are nearing completion and contract signing should be achieved later this year. All planning approvals have been obtained and construction can begin immediately the contract has been signed. It is anticipated that the college will be ready for occupation in 2010.

Student Enrolments

Mr G Robinson asked the Minister for Employment and Learning what action he is taking to reduce the number of Northern Ireland domiciled students enrolling on higher education courses in other parts of the United Kingdom. (AQO 412/08)

Sir Reg Empey: During the 2005/06 academic year, 25% of Northern Ireland domiciled students studied at GB institutions compared to 30% in 1995/96. Students obviously have a free choice of where they wish to study. My Department is currently conducting research to get a clearer picture of all the reasons why students choose to study outside Northern Ireland.

Holyland Area

Ms Lo asked the Minister for Employment and Learning what steps he is taking to encourage better relations between students and local residents in the Holyland area of Belfast. (AQO 461/08)

Sir Reg Empey: The Department supports fully the two universities in the initiatives they have taken to encourage better relations between students and local residents. Both institutions have been working in partnership with landlords, political representatives, Belfast City Council, the Housing Executive and the PSNI.

The seriousness with which the issue of anti-social behaviour is being treated is illustrated by the fact that in the academic year 06/07, two students were formally expelled from the University of Ulster. At both institutions disciplinary measures range from advice and a warning, the imposition of fines, with the ultimate sanction being expulsion. In total, 113 students were formally disciplined by the University of Ulster. 377 students were formally disciplined by Queen's University, although none were subject to expulsion. These actions were as a direct consequence of anti-social behaviour off campus.

Economic Inactivity

Dr Farry asked the Minister for Employment and Learning if he will give his assessment of the variation in levels of economic inactivity in different areas in Northern Ireland. (AQO 462/08)

Sir Reg Empey: Economic Inactivity is an issue of particular concern for Northern Ireland. Our rate of 27.8% compares unfavourably with the UK average of 21.1%.

The inactivity rate within Northern Ireland varies from 14.6% in the Larne District Council area to 43.8% in the Strabane District Council area. The differences are mainly due to the variations in the proportions of people who are inactive because of their home or family commitments, sickness or disability.

Migrant Workers

Mr McHugh asked the Minister for Employment and Learning what steps he is taking to reduce the exploitation of migrant workers by employers. (AQO 485/08)

Sir Reg Empey: It remains a priority for my Department to ensure we have a modern and effective employment rights infrastructure that affords suitable protection for everyone, including migrant workers, working legally in Northern Ireland. My Department is leading work by state and non-state organisations to ensure that the needs of migrant workers are met effectively.

Industrial Tribunals

Mr McCallister asked the Minister for Employment and Learning to detail the number of cases that were brought to Industrial Tribunals, in each of the last five years. (AQO 434/08)

Sir Reg Empey: Claims registered with the Office of Industrial Tribunals and Fair Employment Tribunal (OITFET) in the last five years, which include both Industrial Tribunal and Fair Employment Tribunal issues, are as follows:

April 2002 – March 2003	3386
April 2003 – March 2004	9981
April 2004 – March 2005	3452
April 2005 – March 2006	1681
April 2006 – March 2007	2788
Total	21,288

As a result of procedures in place within the Tribunal system such as interim hearings, pre-hearing reviews and case management discussions; the multiple nature of some of the cases where a common complaint is brought by a group of claimants against one respondent and the use of the conciliation services of the Labour Relations Agency, it is estimated that some 85%-90% of these registered claims do not get to the stage of a full Tribunal hearing. This means that over the last five years approximately 2,100-3,200 cases proceed to a full Tribunal hearing.

Over the same period OITFET has heard and determined some 3,440 cases.

Budget Negotiations

Mr Burns asked the Minister for Employment and Learning what progress has been achieved in budget

negotiations with the Department of Finance and Personnel, in relation to his bid for a 1000% increase in funding for adult apprenticeships and a 500% increase in funding for PhDs and higher educational research. (AQO 471/08)

Sir Reg Empey: The Budget 2007 process is still on-going and it is not expected to be finalised until late January 2008. Therefore I can not comment on any individual bids at this time.

Apprenticeship Scheme

Mr Shannon asked the Minister for Employment and Learning to detail the number of people within the Strangford area who have progressed through the apprenticeship scheme in each of the last three years; and what action he is taking to increase these numbers. (AQO 437/08)

Sir Reg Empey: The numbers of apprentices from the Strangford area who have progressed to achievement of the NVQ level 3, under the Modern Apprenticeships strand of *Jobskills* are:

2 004/05	25
2005/06	60
2006/07	50

In September 2007 the Department replaced *Jobskills* with *Training for Success*, with a key aim to increase the number of apprentices including a level 2 apprenticeship. Early indications are that significant numbers of young people are being recruited to these level 2 apprenticeships. It is expected that a combination of improved careers guidance, individual assessments of participants, better quality of provision, and restructured funding frameworks will encourage improved retention, completion and achievement rates.

New Deal

Mr P Ramsey asked the Minister for Employment and Learning what action he is taking to improve the success rate of New Deal in moving participants into sustained, unsubsidised employment. (AQO 466/08)

Sir Reg Empey: My Department is currently piloting, in four office areas, (Shaftesbury Square, Knockbreda, Lisburn and Limavady) a fresh approach to the delivery of New Deal aimed at improving outcomes into sustained, unsubsidised employment. This initiative, branded 'Steps to Work' is a flexible, menu-based modular approach, which can be tailored to address each individual's barriers to work. It also includes increased incentives to employers to recruit and retain New Deal participants. Subject to

evaluation and resource availability, it will be rolled out across Northern Ireland.

Press Officers

Mr Ross asked the Minister for Employment and Learning to detail the number of press officers in his department. (AQO 429/08)

Sir Reg Empey: The Department for Employment and Learning has three press officers who work directly with the media on a regular basis. The Department also has Information Officers who occasionally work with the media but primarily perform a marketing function.

National Tourism and Hospitality Skills Academy

Mr Hamilton asked the Minister for Employment and Learning what consideration he has given to the creation of a National Tourism and Hospitality Skills Academy for Northern Ireland. (AQO 415/08)

Sir Reg Empey: I have no plans to create a National Tourism and Hospitality Skills Academy for Northern Ireland.

Training in skills at all levels is available for the sector through Further Education Colleges throughout Northern Ireland where the Southern Regional College is a Centre of Excellence. Extensive provision is also available in Higher Education and the University of Ulster which will soon have a new facility at York Street, Belfast.

Adult Learning

Mr Brady asked the Minister for Employment and Learning what steps he has taken to encourage adult learners to return to courses. (AQO 482/08)

Sir Reg Empey: My Department has a number of measures that are designed to encourage adult learners to return to courses at a wide variety of levels.

The courses that are available to adults include: full-time and part time courses in higher and further education establishments; Level 2 and Level 3 apprenticeship training (offered through Training for Success) in a wide range of occupational areas for those aged up to 24 years; and courses to improve adults' literacy and numeracy skills.

In delivering its programmes, the Department continues to develop ways of increasing access, with a particular focus on those who are reluctant to avail of the opportunities provided.

The Department's Careers Service offers an all-age careers information, advice and guidance service. In addition, the Department currently provides funding to the Educational Guidance Service for Adults to provide guidance and to help adults connect with Learning. The Department's Employment Service engages with a wide range of clients, both active and inactive in the labour market, through a team of specially trained Personal Advisers. These advisory services ensure that individuals are made aware of those opportunities that meet their particular needs and aspirations.

All-Island Skills Conference

Mr Spratt asked the Minister for Employment and Learning to detail what discussions he had with Ministers from the Republic of Ireland, at their meeting on 4th September 2007. (AQO 411/08)

Sir Reg Empey: Discussions with Ministerial counterparts focussed on common issues such as workforce skills, the impact of the inflow of migrant workers, research and innovation. These are all important to our economies in Northern Ireland and the Republic of Ireland. Looking to build on existing examples of co-operation we will co-host an all-island skills conference in NI in 2008.

Concessionary Fees Scheme

Mr McCarthy asked the Minister for Employment and Learning if he will give his assessment of the success of the concessionary fees scheme in the further education sector. (AQO 458/08)

Sir Reg Empey: Under the current arrangements between the Department and the further education sector, it is the responsibility of individual colleges, not the Department, to decide what courses they wish to offer, and what fees, charges and concessionary fees they chooses to apply.

Holyland Area

Ms Lo asked the Minister for Employment and Learning what steps he is taking to encourage better relations between students and local residents in the Holyland area of Belfast. (AQO 461/08)

Sir Reg Empey: The Department supports fully the two universities in the initiatives they have taken to encourage better relations between students and local residents. Both institutions have been working in partnership with landlords, political representatives, Belfast City Council, the Housing Executive and the PSNI.

The seriousness with which this is being treated is illustrated by the fact that in the academic year 06/07, sixteen students were formally expelled from Queen's University, with two students being formally expelled from the University of Ulster. This action was as a direct consequence of anti-social behaviour off campus.

ENTERPRISE, TRADE AND INVESTMENT

Invest NI

Mr K Robinson asked the Minister of Enterprise, Trade and Investment, given the importance of Enterprise Parks to the local economy, to indicate how Invest NI intends to facilitate the small business sector in Newtownabbey in 'growing on' these initial start-up businesses, through the provision of premises at Global Point. (AQW 618/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): Invest NI is awaiting a decision concerning overall planning permission for the Global Point site. Subject to completion of the statutory consultation process, it is expected that Planning Service will take its recommendation to Newtownabbey Council before the end of the calendar year. Invest NI, has already gained planning permission for specific aspects of the site and has developed significant infrastructure within the park at a cost of £7m.

Serviced sites on the park will be marketed, as soon as overall planning approval is granted, to all Invest NI clients that have the potential to bring forward development projects that meet Invest NI's Intervention Principles. This will include those clients located in Newtownabbey and its surrounding area.

Projects attractive to Invest NI are likely to comprise a number of the following characteristics:

- a focus on markets outside Northern Ireland
- Innovation or the use of advanced technologies
- new, value-added products or services
- increased and quality employment
- new skills
- challenging growth targets
- private sector finance

Invest NI has limited financial resources and therefore seeks to generate the best return on its investments for the Northern Ireland economy. To that end, Invest NI's client companies must be engaged in either manufacturing or tradeable services and must have, or demonstrate the potential to achieve:

- annual sales in excess of £100,000
- sales outside NI of at least 25% of turnover or £250,000

Invest NI has a relatively small land bank across Northern Ireland. This land is, therefore, held exclusively for Invest NI client companies, who collectively account for approximately 90% of NI exports and research and development expenditure.

Invest NI Global Point Development

Mr K Robinson asked the Minister of Enterprise, Trade and Investment what plans Invest NI has to develop the lands at Global Point, Newtownabbey; and what is his assessment of whether or not the expanding small business sector based in Enterprise Parks could provide an anchor tenant role at this location.

(AQW 623/08)

Mr Dodds: After extensive discussions with Planning Service addressing a number of outstanding issues, Invest NI is awaiting a decision concerning overall planning permissions for the site at Global Point. Subject to completion of the statutory consultation process, it is expected that the application will be taken to Council before the end of the calendar year.

Over the last number of years, Invest NI has gained planning permission and developed several phases of infrastructure within the park at a cost of circa £7m. It expects to be in a position to market and lease serviced sites to client companies as soon as overall planning approval is granted.

Invest NI land at Global Point is held exclusively for its client companies with an approved business case and a demonstrable immediate property need. Any business case presented by an Enterprise Park provider, for example Mallusk Enterprise Park, would be considered on its merits. Tenants would be expected to be able to meet the normal Invest NI client criteria for entry.

Tourism in West Tyrone

Mr Bresland asked the Minister of Enterprise, Trade and Investment what funding will be made available in 2008 to promote tourism in West Tyrone, and what role Sperrins Tourism will play in developing tourism within West Tyrone. (AQW 650/08)

Mr Dodds: The Northern Ireland Tourist Board (NITB) is fully committed to regional development as outlined in the Strategic Framework for Action (2005 – 2008). West Tyrone and Sperrins Tourism is a member of the Western Regional Tourism Partnership, which

has received over £403,000 in financial support from NITB in the financial years 2006/07 and 2007/08.

Any further allocation will be considered in the context of the Comprehensive Spending Review.

Motorcycle Races

Lord Morrow asked the Minister of Enterprise, Trade and Investment what is his assessment of the impact of attendance at motorcycle races on Northern Ireland's economy and tourist industry. (AQW 666/08)

Mr Dodds: The Tourism Strategic Framework for Action 2004 – 2008 recognises the potential of events in changing perceptions of Northern Ireland and benefiting the economy and the Northern Ireland tourism industry. The Northern Ireland Tourist Board works closely with the Northern Ireland Events Company (NIEC) to promote and support excellent events in Northern Ireland.

The Northern Ireland Events Company has been involved with many disciplines of motorcycle sport since its inception in 1997. Many of these World Class and International events bring extensive TV coverage allowing NIEC to profile NI as a Major Events and Tourism destination.

A post project evaluation (PPE) report was completed by NIEC for the North West 200 (NW200) and Ulster Grand Prix (UGP) in 2005. The evaluation figures are as follows:

Event:	Participant and Visitor Spend: (£)	Economic Benefit to NI: (£)	Economic Return (Per £ of public money)
NW200	£554,400	£1,850,142.89	£15.33:£1
UGP	£132,510	£444,892.78	£6.50:£1
Total	£686,910	£2,295,035.67	n/a

2008 will see the FIM Motocross of Nations – the largest event in the sport – take place in Moneyglass.

Invest NI All-island Economy

Mr McLaughlin asked the Minister of Enterprise, Trade and Investment, in light of his statement to the 12th annual economic conference that his vision 'is for a higher value-added economy that is able to compete effectively with a globalised workforce', what is his assessment of the advice of the chairman of the Ulster Bank Group, that Invest NI should amalgamate with the Industrial Development Agency Ireland, to promote an all-island economy through a single, joined-up, effective agency; with the IDA and Invest NI no longer competitors, but fully collaborative. (AQW 683/08)

Mr Dodds: Our vision of a higher value added, competitive economy is shared with most stakeholder organisations and economic pundits in Northern Ireland. Invest NI, and a wide range of other public and private sector organisations in Northern Ireland, are committed to this approach. Recent Invest NI successes, including major investments by Citi, Liberty IT, Bank of Ireland and Mformation, bear testimony to this approach. While we enjoy cooperation with our southern counterparts on a number of fronts, I am clear that the competitive nature of procuring FDI and significant differences in our product offering, make a single operation, straddling two jurisdictions, impossible.

University of Ulster Patents

Mr K Robinson asked the Minister of Enterprise, Trade and Investment what steps he will take to build local enterprises within the East Antrim constituency, based on patents held by the University of Ulster. (AQW 711/08)

Mr Dodds: Invest NI (through the Higher Education Innovation Fund) has already supported the development of a commercially focused organisation to effectively manage University of Ulster technology (UUTech) and knowledge transfer Early stage technology screening, assessment and protection have led to a number of new patent filings. In addition, Invest NI's "Proof of Concept" programme will help researchers take their ideas and inventions from the laboratory to the global marketplace while new seed corn funds, dedicated to spin-outs from both Queen's University Belfast (QUB) and the University of Ulster (UU), are in the latter stages of development.

Technology based companies spinning out from the UU might be expected to establish in close proximity to specific research strengths and appropriately skilled and qualified graduates that are essential for continued growth and development.

Fast Ferry Linkages

Mr K Robinson asked the Minister of Enterprise, Trade and Investment what steps he has taken to develop fast ferry linkages between the Port of Larne and the Lancashire ports. (AQW 713/08)

Mr Dodds: Northern Ireland benefits from the private sector ferry services operating in the Irish Sea. These provide conventional ferry connections to Fleetwood, Heysham and Liverpool in Lancashire. A fast ferry service, which operated to Heysham, ceased in 2002 for commercial reasons.

The development of any ferry service is a matter for the commercial judgement of ferry operators having regard to prevailing market opportunities.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of Enterprise, Trade and Investment to detail the estimated cost for final closure on the DETI-led visitors' centre at the Giant's Causeway, if the proposals do not go ahead.

(AQW 740/08)

Mr Dodds: The outstanding costs for the public sector proposal relate to contractual liabilities to the architect and the design team and are estimated at around £300,000. This would bring the total estimated cost for the project, if it does not go ahead, to £1.5m.

Health and Safety Requirements

Mr O'Loan asked the Minister of Enterprise, Trade and Investment what plans he has to develop a strategy to help small construction businesses meet the costs of all health and safety requirements, in order to operate legally and safely in Northern Ireland. (AQW 741/08)

Mr Dodds: There are no plans to develop a strategy to help small construction businesses meet the costs of all health and safety requirements. Government cannot and should not financially assist any business to meet its statutory health and safety obligations. That said, Government should actively assist businesses in other ways to help them meet these obligations and, in regard to health and safety, this is very much the case. Health and Safety Executive Northern Ireland (HSENI), the regional authority for health and safety, visits building sites and offers advice and information; it publishes free guidance; it provides a free phone help line and its small business service, Health and Safety Works NI, provides a confidential and free mentoring service to small businesses including small construction companies.

Small Construction Firms

Mr O'Loan asked the Minister of Enterprise, Trade and Investment what plans he has to support business growth for small construction firms in Northern Ireland. (AQW 742/08)

Mr Dodds: Invest NI helps small construction manufacturing companies to grow, become more competitive and develop export markets.

Invest NI focus on helping companies to be entrepreneurial; innovative and international. Emphasis is

on increasing the company's ability to grow export markets and to compete in a sustainable way.

Invest NI liaise with sector bodies and trade associations to ensure clients are kept up to date on market trends and tendering opportunities via procurement databases. Strategic investment plans, such as Strategic Investment Board (NI), National Development Plan (ROI), and Olympics (London), leading to sales opportunities are communicated. Best practice and knowledge sharing is actively promoted.

- Support and guidance includes:
- Facilitating development of business direction and strategy
- Enhancing competitiveness with people and process improvement
- Developing export markets and products, with awareness workshops and programmes to define marketing strategies, strengthen marketing and export skills and increase market knowledge
- Stimulating innovation through technology transfer, and product & process development

An on-line business support service is available to all companies at <http://www.nibusinessinfo.co.uk> offering practical advice on a comprehensive range of business issues.

Invest NI

Mr McClarty asked the Minister of Enterprise, Trade and Investment to detail the number of visits that have been organised by Invest NI for inward investors for the East Derry/Londonderry area, in each of the last five years. (AQW 769/08)

Mr Dodds: Invest NI does not determine locations for a potential investor: this decision is taken by the investor. The focus of Invest NI's international sales and marketing effort is to aggressively promote all areas of Northern Ireland as attractive and viable locations for new inward investment opportunities, in what is a very competitive global market.

The figures below outline the number of visits that have been organised by Invest NI for inward investors for the East Londonderry area, in each of the last five years.

April 2002 – March 2003	9
April 2003 – March 2004	2
April 2004 – March 2005	1
April 2005 – March 2006	2
April 2006 – March 2007	3

Staff Team Building

Mr Moutray asked the Minister of Enterprise, Trade and Investment to detail the total cost of (i) staff away days; and (ii) staff team building exercises, in each of the last three years. (AQW 807/08)

Mr Dodds:

	Away Days	Team Building	Total
1 April 04 to 31 March 05	£9,769	£4,381	£14,150
1 April 05 to 31 March 06	£5,333	£4,432	£9,765
1 April 06 to 31 March 07	£0	£2,789	£2,789
DETI total			£26,704

Comprehensive Spending Review

Mr Neeson asked the Minister of Enterprise, Trade and Investment to detail how good relations considerations have been taken into account within his department's bid, in relation to the current Northern Ireland Comprehensive Spending Review.

(AQW 830/08)

Mr Dodds: A High Level Impact Assessment (HLIA) was completed for all Resource bids in the Comprehensive Spending Review. The HLIA considered how and to what extent each Resource bid promoted good relations between people of different race, religion, political opinion, sexual orientation and persons with a disability and persons without. It also examined if funding the Resource bid could inadvertently inhibit or damage good relations between groups within any of the above mentioned categories. Each HLIA was also considered by the DETI Equality Unit.

A summary of these HLIAs was also forwarded to the Department of Finance and Personnel for its consideration when making recommendations on allocations across the NI Block.

The Strategic Investment Board is considering the good relations impact of Capital Investment.

Greater Newry Vision

Mr Brady asked the Minister of Enterprise, Trade and Investment what plans he has to implement the Greater Newry Vision document. (AQW 875/08)

Mr Dodds: We would wish to support the efforts of the Greater Newry Vision Partnership to enable the

greater Newry area to achieve its full potential in terms of;

- An efficient economy
- Regional well-being
- Social political and economic stability and
- Economic opportunity

A range of initiatives, including substantial infrastructural developments, have been identified by the partnership as key drivers to an efficient economy in the Greater Newry area. These include for example; The Southern Relief Road and the Albert Basin Development. While such infrastructural development proposals are outside the direct remit of my department we will contribute to the appraisals of such initiatives by the relevant departments insofar as they impact on the economic development prospects of the area.

Invest NI, which has representation on the Greater Newry Vision Partnership, will continue to play a central role in delivering our economic development strategy by providing support to businesses in three main areas;

- Supporting Innovation for global markets
- Encouraging investment and re-investment in the area
- Stimulating entrepreneurial activity

Considerable success has been achieved to date in the Newry area as demonstrated by the relatively high level of business starts and the recent launch of the Teleperformance project that will create 450 jobs.

Invest NI Strabane District Council Land

Mr Doherty asked the Minister of Enterprise, Trade and Investment to detail, by name and size, all land within the Strabane District Council area that is currently (i) under the ownership of Invest NI; and (ii) available for industrial use. (AQW 881/08)

Mr Dodds: Invest NI holds land at one location in the Strabane District Council area, Orchard Road Industrial Estate.

The landholding at Orchard Road is 25.26 acres with 2.10 acres currently available for industrial use.

Giant's Causeway Visitors' Centre Seaport Investments Planning Application

Mr O'Loan asked the Minister of Enterprise, Trade and Investment to detail the nature and outcome of his department's examination of the planning application from Seaport Investments for a visitors' centre at the Giant's Causeway, prior to 10 September 2007, with

specific reference to whether or not this development would provide a world class facility at this location.
(AQW 892/08)

Mr Dodds: My Department reviewed the Seaport Investments outline planning application as part of its work on developing its own design. On the basis of the information contained within the planning application it was considered reasonable to assume that visitors would receive a similar experience to that proposed in the public proposal.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of Enterprise, Trade and Investment if he will now test the market to assess whether or not other private sector businesses are interested in becoming involved in the creation of a visitors' centre at the Giant's Causeway. (AQW 897/08)

Mr Dodds: My Department does not own land at the Giant's Causeway site. It is therefore not appropriate for me to test the market place for private sector interest in developing visitor facilities. That is a matter for Moyle District Council, as land owners, to consider.

Graduate Earnings

Mr Spratt asked the Minister of Enterprise, Trade and Investment to detail the average wage earned by graduates in Northern Ireland; and to provide a comparison with graduate earnings in (i) other parts of the United Kingdom; and (ii) the Republic of Ireland, for each of the last 5 years. (AQW 940/08)

Mr Dodds: The estimates for the median average wage earned by graduate employees in Northern Ireland and other parts of the United Kingdom can be found in the table below. Directly comparable figures for the Republic of Ireland are not available.

MEDIAN GROSS WEEKLY PAY FOR GRADUATE EMPLOYEES, 2003-2007¹

Region	2003	2004	2005	2006	2007
England	£519	£516	£538	£577	£577
Scotland	£490	£531	£490	£525	£538
Wales	£485	£462	£433	£462	£512
Northern Ireland	£415	£490	£471	£462	£529
UK	£508	£508	£531	£558	£565

¹ Figures refer to the March–May period for the years 2003–2005 and to the April–June period for 2006 and 2007. Estimates are based on a sample survey and are subject to sampling error.

Source: Labour Force Survey

Opportunities For Women

Ms Ní Chuilín asked the Minister of Enterprise, Trade and Investment what action he has taken to ensure the full participation of women, and increased opportunity for women, in the enterprise, trade and investment sector. (AQW 1020/08)

Mr Dodds: OFMDFM have co-ordinated actions across NI Departments in response to the report *Shaping a Fairer Future* published in February 2006 by the Women and Work Commission Report.

These include actions to support full and equal opportunity for, and participation by women in the enterprise, trade and investment sector, and are being mapped into the draft Action Plans which will underpin the Gender Equality Strategy for Northern Ireland published in December 2006 by OFMDFM. In addition we have in place a robust framework of anti-discrimination legislation which aims to ensure greater participation of women in the labour market, including in the enterprise, trade and investment sector.

Invest Northern Ireland's Go For It Campaign, its enterprise and education programmes and its specific Investing in Women Programme seek to encourage more women in Northern Ireland to start a business or grow their existing business.

Investing in Women involves a range of awareness programmes, role model promotion and sponsorship of conferences and events. Over 4000 women per year are engaged in the Investing in Women programmes with 16000 young women involved in enterprise and education programmes. An element of Invest NI's work within the Renewing Communities initiative is providing enterprise awareness for women. This includes activity with women's groups in North Belfast.

With this focussed approach to increasing the levels of female entrepreneurship, over the period 2002 – 2007, the number of female start-ups via Invest NI's Start a Business Programme has increased from 35% to 47%. This is an encouraging increase.

Inward Investment

Mr Ford asked the Minister of Enterprise, Trade and Investment if he will make a statement on the impact of paramilitarism on inward investment in Northern Ireland. (AQO 452/08)

Mr Dodds: There has been no formal assessment of the impact of paramilitarism on inward investment in Northern Ireland. However, I would be very surprised if the images of terrorism and vandalism that have played across the media in the last three decades have not had a negative influence on the decisions of potential investors – to the extent that they ruled us

out of their thinking without making any contact with Invest NI or its predecessors.

It is therefore to the credit of government agencies that they were able to attract a number of significant international companies to the region. Terrorism has a pernicious impact on business investment and we must do everything we can to maintain a stable political and social environment so that we can more easily market Northern Ireland as a high quality investment and tourism location.

As I said in my answer to the Member for Strangford, I would encourage any business that is the victim of paramilitary activity to come forward and contact the police or the Organised Crime Task Force.

United States Investment Conference

Mr Hamilton asked the Minister of Enterprise, Trade and Investment to provide an update on his plans for the proposed United States Investment Conference; and to detail what he hopes to achieve from this event. (AQO 414/08)

Mr Dodds: Planning for this event is well advanced. This afternoon I am welcoming US Ambassadors Tuttle from London and Foley from Dublin. They are jointly leading a delegation of over 20 US companies to Northern Ireland.

Next month I plan to visit three or four cities in the United States to meet with US Business and Political figures to raise the profile of next year's conference. I hope that up to 50 CEOs, from major US Corporations in the key ICT, Financial and Business Services sectors, will participate in the conference in Belfast next year.

We want them to experience and explore how Northern Ireland can provide compelling business solutions to their global operations. Ultimately, my hope would be that some of these companies will decide that Northern Ireland offers them a location where they can establish a successful and sustainable operation.

Single Electricity Market

Mr Moutray asked the Minister of Enterprise, Trade and Investment if he will make a statement on the Single Electricity Market. (AQO 428/08)

Mr Dodds: Final preparations are being made by industry and the Regulators so that the Single Electricity Market can begin trading wholesale electricity from 1 November. This new market will be at the leading edge of the European Union's strategic vision for energy. It is the result of pragmatic cooperation to

deliver mutual benefits to both Northern Ireland and the Irish Republic.

The overall net benefit is estimated at £103m over 10 years from greater efficiencies, plus potential additional "dynamic" benefits of £135m - £171m from more competitive wholesale and retail markets. However, these benefits will depend on the sustained and progressive introduction of greater competition. My Department will be working with its counterpart in the Irish Republic and with the Regulators to achieve this.

Fast Ferry Service

Rev Dr Robert Coulter asked the Minister of Enterprise, Trade and Investment what action he is taking, along with the Minister for Regional Development, to develop a fast ferry service accessing the 43 million people who live within a four hour drive of ports in Lancashire. (AQO 418/08)

Mr Dodds: Northern Ireland benefits from the private sector ferry services operating in the Irish Sea. These provide conventional ferry connections to Fleetwood, Heysham and Liverpool in Lancashire. A fast ferry service, which operated to Heysham, ceased in 2002 for commercial reasons.

The development of any ferry service is a matter for the commercial judgement of ferry operators having regard to prevailing market opportunities.

Financial Services Sector

Mr Newton asked the Minister of Enterprise, Trade and Investment to outline the current prospects for employment within the financial services sector in Northern Ireland. (AQO 490/08)

Mr Dodds: This is a growing sector where the prospects of providing significant new employment opportunities for Northern Ireland are good. Invest NI will continue to target key accounts in Europe and the United States, in order to build on recent successes.

During 2007, Invest NI secured employment in this sector through strategic investments by two high profile financial institutions. Citi, one of the world's largest financial corporations, has established a Centre of Excellence in Belfast creating 716 jobs. This facility includes 117 jobs in capital markets and banking operations as well as 39 jobs in the legal and compliance field. These jobs attract average salaries of around £25k, well in excess of Northern Ireland's private sector average. In July 2007, Bank of Ireland Securities Services announced its intention to create 149 jobs establishing its first UK hedge fund administration centre. These jobs will attract average salaries of £35k per annum and the investment will

enhance Northern Ireland's reputation as a global financial services location.

West Belfast and Shankill Economic Task Force Report

Mr Adams asked the Minister of Enterprise, Trade and Investment if he will report on progress towards implementing the recommendations of the West Belfast and Shankill Economic Task Force Report.

(AQO 491/08)

Mr Dodds: Action has been taken to address a range of issues identified in the West Belfast and Greater Shankill Task Forces' Report. A bid to the Integrated Development Fund secured funding, in principle, of £21.7 million towards 17 projects specific to the area. As part of a recent study of the Task Force Initiative, local community representatives submitted a report outlining their views on the key outstanding development opportunities for the area in January 2007. DETI, and other relevant Departments, are in the process of discussing the most recent report with community representatives with a view to agreeing detailed actions which can be taken forward as quickly as is practicable.

Invest NI Inward Investment Agencies

Mr McLaughlin asked the Minister of Enterprise, Trade and Investment to detail what policy he intends to pursue, to allow increased co-ordination between the work of the inward investment agencies, Invest NI and the Industrial Development Agency Ireland.

(AQO 489/08)

Mr Dodds: The Comprehensive Study on the All-Island Economy, published by the British and Irish Governments in October 2006, identified opportunities for increased contacts between Invest NI and IDA Ireland. However, the attraction of Foreign Direct Investment is one of the areas where the economic development agencies in Northern Ireland and the Republic of Ireland are in direct competition with each other. Nevertheless, it is clear that the island as a whole faces increasing competition from emerging economies for mobile inward investment. The Boards and officials of Invest NI and the IDA already meet regularly and I am keen that they should continue to meet to explore the potential for collaboration in areas of mutual benefit for both jurisdictions.

Both agencies agree that the focus for collaboration should be on strengthening the business operating environment and the examination of how Invest NI and IDA can work together to jointly influence and

improve this in a manner that would increase the attractiveness of the whole island for FDI.

Investment Conference

Mr Donaldson asked the Minister of Enterprise, Trade and Investment what progress has been made on arrangements for the proposed investment conference in Washington D.C.

(AQO 396/08)

Mr Dodds: Planning for this event is well advanced. This afternoon I am welcoming US Ambassadors Tuttle from London and Foley from Dublin. They are jointly leading a delegation of over 20 US companies to Northern Ireland.

Next month I plan to visit three or four cities in the United States to meet with US Business and Political figures to raise the profile of next year's conference. I hope that up to 50 CEOs, from major US Corporations in the key ICT, Financial and Business Services sectors, will participate in the conference in Belfast next year.

We want them to experience and explore how Northern Ireland can provide compelling business solutions to their global operations. Ultimately, my hope would be that some of these companies will decide that Northern Ireland offers them a location where they can establish a successful and sustainable operation.

Racketeering

Dr Farry asked the Minister of Enterprise, Trade and Investment to give his assessment of the cost to Northern Ireland businesses of racketeering associated with paramilitaries.

(AQO 453/08)

Mr Dodds: My Department has made no assessment of the financial cost to Northern Ireland businesses of the wide range of racketeering activities associated with paramilitaries. It is clear, however, that businesses can only realise their full economic potential in a peaceful and law abiding environment.

A number of Organised Crime Task Force (OCTF) events were held for the business community during 2006/07 to raise awareness of the help and support that is available for victims of extortion and to encourage victims to report the crime to the police.

The PSNI, supported by the OCTF, have launched an extortion Helpline (028 909 222 67). This provides access to professional advice and guidance from specially trained PSNI officers who are experts in this field. I would encourage any business that is the victim of extortion to contact the PSNI's extortion helpline.

Tourism

Mr Kennedy asked the Minister of Enterprise, Trade and Investment what plans he has to develop tourist potential across the whole of Northern Ireland, rather than in only a small number of high profile locations. (AQO 423/08)

Mr Dodds: The Tourism Strategic Framework for Action 2004 – 2008 (SFA) currently sets out ten key programme areas to be addressed in developing Northern Ireland's tourism potential, it is directed at all of Northern Ireland.

Programmes include development of signature projects, visitor servicing, strengthening effective relationships for delivery and focusing on Winning Themes such as short breaks, excellent events and activity tourism. These programmes, taken as a whole, are not confined to a small number of locations.

Health and Safety Executive

Mr Irwin asked the Minister of Enterprise, Trade and Investment to detail the number of people who are employed by the Health and Safety Executive in Northern Ireland, and to outline their main priorities. (AQO 433/08)

Mr Dodds: The Health and Safety Executive for Northern Ireland (HSENI) has a staff complement of 96, of which 6 posts are currently vacant. HSENI focuses on a number of priority issues, which are responsible for a disproportionately high number of cases of ill health and injury. These include manual handling and repetitive work; work-related stress; exposure to asbestos fibres; falls from height; transport in the workplace; and slips and trips. In addition to these priority issues, HSENI also focuses attention on the high risk work sectors of construction, quarrying and agriculture.

Tourist Accommodation

Mr P Maskey asked the Minister of Enterprise, Trade and Investment to detail the amount spent on hotel and tourist accommodation by Invest NI and the Northern Ireland Tourist Board, in the last year. (AQO 487/08)

Mr Dodds: In April 2002 the responsibility for the administration of the Capital Investment Programme for tourism accommodation development moved from the Northern Ireland Tourist Board to Invest Northern Ireland (Invest NI).

In the financial year ending 31 March 2007 Invest NI paid £3,090,331.96 towards tourist accommodation projects of which £2,676,532.88 was for hotels.

Irish Language Businesses

Mr Brolly asked the Minister of Enterprise, Trade and Investment to outline what steps he has taken to sustain Irish language businesses in Northern Ireland. (AQO 492/08)

Mr Dodds: In order to qualify as an Invest NI client, businesses must be capable of demonstrating that they have, or have the potential to, achieve sales of over £100,000 per year, with sales outside NI of at least 25% of turnover or greater than £250,000 per year. Invest NI currently has 2,400 client companies. A very small number of these work within the Irish language sector. Invest NI assistance is dependent on businesses submitting proposals to the Agency for consideration. Invest NI will consider any such approach from Irish language businesses and their proposals will be assessed against the criteria outlined above.

ENVIRONMENT

Health Impacts of the Built Environment

Mr McKay asked the Minister of the Environment what is her assessment of the conclusions reached in the 'Health Impacts of the Built Environment' document, published by the Institute of Public Health in Ireland. (AQW 499/08)

The Minister of the Environment (Mrs Foster): I have noted the conclusions of this document. My Department will participate fully in the review, due to start in 2008, which is to be carried out by the Ministerial Group on Public Health.

Planning Conditions

Mr Shannon asked the Minister of the Environment to detail the reasons why a planning condition specifying that obscure glass be fitted in windows at 18 Brae Grove, Ballygowan, has not been enforced by the Planning Service. (AQW 636/08)

Mrs Foster: The Department has concluded that because the condition relating to the use of obscure glazing is imprecise in that it does not specify which one of a number of windows in the relevant elevation it refers to, as such it would be unenforceable. The case has been closed and the complainant advised that the Department regrettably proposed to take no further action in relation to the matter.

The Department apologises for the error which has resulted in the case being closed without a satisfactory conclusion. Staff have been made aware of the

developments and informed that such lapses should not be repeated.

Planning Policy Statement 14

Mr McGlone asked the Minister of the Environment if she will make a clear statement on the implications of the recent High Court decision on Draft Planning Policy Statement 14: Sustainable Development in the Countryside; and in particular, if she will (i) detail any policy implications; (ii) clarify the situation in respect of refusals made by the Planning Service under the 'unlawful' Draft PPS 14; and (iii) clarify the situation in respect of refusals made by the Planning Service under Draft PPS 14, and later upheld by the Planning Appeals Commission. (AQW 648/08)

Mrs Foster: A final decision by the Courts on the legal proceedings of draft PPS 14 is still awaited. I shall make a clear statement on draft PPS 14 when this is received.

In respect of refusals issued on the basis of draft PPS 14 since its introduction in March 2006, the Departmental Solicitors Office has clearly indicated that these remain valid decisions as they are protected by the public law principle of presumptive validity. This means that unless such decisions are the subject of a timely legal challenge themselves they remain valid.

In terms of an appeal decision where the Planning Appeal Commission dismissed the appeal, Planning Service can decline to consider a repeat application; however this is a discretionary power.

Rural Planning Policy

Mr McGlone asked the Minister of the Environment to clarify what rural planning policy now applies, from 16 March 2006 onwards. (AQW 649/08)

Mrs Foster: The policy provisions of Draft Planning Policy Statement 14 'Sustainable Development in the Countryside' have applied since 16 March 2006 and continue to be a material consideration in the decision making process. This will remain the case until the final outcome of the legal proceedings taken by Omagh District Council against Draft PPS 14 is known.

Planning (Northern Ireland) Order 1991

Mr McLaughlin asked the Minister of the Environment what action she will take to ensure that the appropriate Articles (e.g. Article 40) of the Planning (Northern Ireland) Order 1991 are fully enforced, requiring developers to carry out whatever

infrastructural upgrades are required to meet additional pressures on roads, sewerage, schools and other social facilities, created by proposed developments.

(AQW 682/08)

Mrs Foster: My Department has the power under Article 40 of the Planning (Northern Ireland) Order 1991 to enter into legally binding planning agreements with developers to secure the provision of for example open space, additional community facilities etc where it is appropriate to do so. Planning Service's normal approach is to attach planning conditions to assure the necessary infrastructure is provided but Article 40 also may be used where it is not possible to secure the provision of such facilities by normal planning conditions.

The use of an Article 40 planning agreement is considered by Planning Service on a case by case basis and used where necessary depending on the specific circumstances relating to each planning application.

There are numerous examples where this has been used across Northern Ireland. Article 40 agreements are legally binding and enforceable by injunction.

Planning Applications

Mr O'Loan asked the Minister of the Environment to detail whether or not the Planning Service will look favourably upon planning applications on sites that form part of the back garden of existing properties, in order to enable families to build on their own land, in light of the increase in house prices throughout Northern Ireland. (AQW 693/08)

Mrs Foster: In determining planning applications that involve the subdivision of existing residential sites Planning Service considers each application within the relevant planning policy context set out in PPS 7: Quality Residential Developments and PPS 12: Housing in Settlement as well as taking account of all other relevant material planning considerations.

There is considerable variation in the size and specific characteristics of individual residential sites and Planning Service must deal with each case on its individual merits. Current policy makes it clear that over-development of a site, leading to an unacceptable loss of the established character of an area and an adverse impact of the privacy and amenity of adjoining residential properties is unacceptable.

Medieval Fish Traps

Mr W Clarke asked the Minister of the Environment if she will authorise an archaeological excavation of the medieval fish traps on the coastline of Newcastle. (AQW 725/08)

Mrs Foster: There are no current plans for a full programme of maritime archaeological recording in the Newcastle area and therefore I do not think it would be appropriate to undertake excavations at this time. Such excavations will be considered when resources are available to carry out a full archaeological recording programme.

Lignite Resource Area

Mr McKay asked the Minister of the Environment to detail the number of objections that have been received in relation to the Lignite Resource Area in North Antrim, under the draft Northern Area Plan. (AQW 727/08)

Mrs Foster: The Draft Northern Area Plan 2016 was published on 11 May 2005. It contains one Policy and one Designation relevant to the Lignite Resource Area in North Antrim.

My Department has received:

- 3,847 objections and 4 counter objections to Policy MIN 1: Protection of the Lignite Resource, and
- 3,914 objections and 6 counter objections to Designation COU 15: Lignite Resource Area.

Redevelopment of Land, Magheramorne

Mr K Robinson asked the Minister of the Environment what action she is taking to encourage the redevelopment of former industrial lands at Magheramorne in a sustainable manner; and what consideration is she giving to the views of a wide variety of conservation and residents' groups who wish to see this brownfield site further enhance the environment in Larne Lough. (AQW 733/08)

Mrs Foster: This planning application is still being processed by Planning Service officials and a final decision on the matter has therefore not yet been taken. All representations that are received in relation to the proposal, including any from residents' groups and others, will of course be given full and careful consideration prior to a decision being reached.

Waste Management

Mr O'Loan asked the Minister of the Environment to detail the support her department will provide for small waste management businesses, in both the community and small business sector. (AQW 737/08)

Mrs Foster: My Department's Environment and Heritage Service provides small waste management businesses with comprehensive advisory support and funding. Financial support is offered to community

groups through ARENA Network's Helping Hands programme, and we are currently supporting a number of voluntary and community based projects through the Community Waste Innovation Fund (CWIF). CWIF has offered some £3m in grants to enable this sector to play its part in reducing waste. Financial support is also provided to the Waste and Resources Action Programme (WRAP) which focuses on creating stable and efficient markets for recycled materials and products. This work is supplemented with practical and legislative waste guidance through programmes such as NetRegs a confidential, on-line tool available to all businesses in Northern Ireland, to assist them with complying with environmental legislation.

Gorse Areas

Mr W Clarke asked the Minister of the Environment what consideration she will give to the introduction of grants for the sustainable management of gorse areas, taking into account the amount of money that is currently allocated to dealing with gorse fires. (AQW 762/08)

Mrs Foster: My Department, the Department of Agriculture and Rural Development and the Mourne Heritage Trust are working together on the development of a sustainable management plan for gorse control.

An initial pilot study of gorse fire incidents in the Mournes area is being carried out. The study has two main aims: one is to reduce the likelihood of malicious gorse fires through the targeting by the relevant authorities of anti-social behaviour. The second aim is to improve the area of priority habitats in the Mournes by the removal of invasive gorse through financial support and expert advice to landowners within designated sites.

This will be delivered through DARD's agri-environment schemes or through management agreements between the land owners and EHS.

It is hoped that the reduction of invasive gorse, coupled with a close examination of anti-social behaviour trends, will reduce the resource requirements of the Northern Ireland Fire and Rescue Service to tackle such gorse fires in the future.

Areas of Outstanding Natural Beauty

Mr W Clarke asked the Minister of the Environment what consideration she has given to increasing the amount of funding allocated to the management of Areas of Outstanding Natural Beauty. (AQW 763/08)

Mrs Foster: I fully recognise the value of the partnerships that have been established in Areas of Outstanding Natural Beauty (AONBs) and the

challenge of securing sustainable funding. My officials have just completed the first phase of a review of our support to partnership bodies, with a view to achieving more financially secure management arrangements for AONBs in the future.

The next phase will be to examine models elsewhere such as the Sustainable Development Fund in England and Wales. My officials will then meet with current and potential co-funders to explore further funding options.

Staff Team Building

Mr Moutray asked the Minister of the Environment to detail the total cost of (i) staff away days; and (ii) staff team building exercises, in each of the last three years. (AQW 806/08)

Mrs Foster:

Financial Year	Expenditure on Staff Away Days £'s	Expenditure on Staff Team Building Exercises £'s
2004/05	28,335	7,809
2005/06	43,836	19,482
2006/07	31,731	11,395

Comprehensive Spending Review: Good Relations

Mr Ford asked the Minister of the Environment to detail how good relations considerations have been taken into account within her department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 837/08)

Mrs Foster: I can confirm that the Department is committed to ensuring that it fulfils its duties under both Section 75(1) and (2) of the Northern Ireland Act 1998 in relation to the promotion of equality of opportunity and the desirability of promoting good relations. Promotion of equality of opportunity and good relations is an important part of departmental policy development, legislative activities and operational programmes. For each of the Comprehensive Spending Review (known as Budget 2007 in Northern Ireland) spending and efficiency proposals put forward by the Department a High Level Impact Assessment (HLIA) form, agreed by the Equality Commission for the Budget process, has been completed showing how each proposal has been considered against both duties. Indeed the Equality Commission held a forum earlier in the year, with representation from all departments, to discuss the equality of opportunity and good relations agenda as it relates to the Budget process.

Comprehensive Spending Review: Deloitte Touche Report

Mr Ford asked the Minister of the Environment to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within her department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 838/08)

Mrs Foster: The report, which was commissioned by the previous administration in March 2006, is an independent piece of research into the financial cost of the Northern Ireland (NI) divide. The final report, which is unpublished, represents the views of Deloitte and not those of the First Minister, Deputy First Minister and the Executive and therefore does not form an agreed basis for future policy development. I should also say that the services provided by my Department are generally provided to the whole community on a common basis and have not therefore been particularly affected by the divisions in the community.

Giant's Causeway Visitors' Centre: Correspondence from MLAs

Mr McKay asked the Minister of the Environment to detail all correspondence from MLAs that has been recorded on the Planning Service's file for the private application for a visitors' centre at the Giant's Causeway; and to list the names of all MLAs from whom such correspondence has been received. (AQW 842/08)

Mrs Foster: The only letter from an MLA on the planning file is a copy of a letter from Mr Ian Paisley Jr. to the then Secretary of State on 20 January 2005 listing matters of importance to the constituents in North Antrim.

The letter was copied to the file for information purposes only and Planning Service did not treat this letter as a representation. The letter has been available to view through the open file system.

Giant's Causeway Visitors' Centre: UNESCO Consultation

Mr O'Loan asked the Minister of the Environment, in view of the Giant's Causeway's World Heritage Site status, if she will explain why she did not consult with UNESCO prior to issuing her statement of 10 September 2007, saying that she was minded to grant planning permission to Seaport Investments; and if she will now consult with UNESCO on this issue. (AQW 843/08)

Mrs Foster: I did not consult with UNESCO prior to making my announcement on 10 September 2007 because it was not necessary to do so. As a matter of

courtesy my officials advised the Department of Culture, Media and Sport (DCMS) and UNESCO of my announcement and stated that I would provide a full report in due course.

In my statement I said that while I saw considerable merit in the proposal from Seaport Investments Limited there were some aspects which required clarification. I have asked my officials to engage with the developer and key stakeholders on those aspects and to report the outcome.

I will notify UNESCO before I make a final decision if there is any question that my decision will impact on the World Heritage Site.

DCMS is the normal channel for communications with UNESCO on matters relating to World Heritage Sites. It is therefore normal practice for my Department to deal with issues relating to UNESCO through DCMS.

Although UNESCO officials visited the Giant's Causeway in 2003 and 2005, that was prior to my Ministerial responsibility and I did not therefore have occasion to meet them.

I am in correspondence with Margaret Hodge, the Minister responsible for Culture, Creative Industries and Tourism at DCMS, in relation to the planning application which is under my consideration.

Giant's Causeway Visitors' Centre: Communication with UNESCO

Mr O'Loan asked the Minister of the Environment, in view of the Giant's Causeway's World Heritage Site status, if she will explain why her department has no ongoing direct channel of communication with UNESCO; and if one will now be established.

(AQW 844/08)

Mrs Foster: I did not consult with UNESCO prior to making my announcement on 10 September 2007 because it was not necessary to do so. As a matter of courtesy my officials advised the Department of Culture, Media and Sport (DCMS) and UNESCO of my announcement and stated that I would provide a full report in due course.

In my statement I said that while I saw considerable merit in the proposal from Seaport Investments Limited there were some aspects which required clarification. I have asked my officials to engage with the developer and key stakeholders on those aspects and to report the outcome.

I will notify UNESCO before I make a final decision if there is any question that my decision will impact on the World Heritage Site.

DCMS is the normal channel for communications with UNESCO on matters relating to World Heritage

Sites. It is therefore normal practice for my Department to deal with issues relating to UNESCO through DCMS.

Although UNESCO officials visited the Giant's Causeway in 2003 and 2005, that was prior to my Ministerial responsibility and I did not therefore have occasion to meet them.

I am in correspondence with Margaret Hodge, the Minister responsible for Culture, Creative Industries and Tourism at DCMS, in relation to the planning application which is under my consideration.

Giant's Causeway Visitors' Centre: UNESCO Official

Mr O'Loan asked the Minister of the Environment if she will explain why she was not aware of the name of the senior UNESCO official who has had responsibility for the Giant's Causeway for several years, as she stated on Radio Ulster on 5 October 2007; and if she will now meet with this official.

(AQW 845/08)

Mrs Foster: I did not consult with UNESCO prior to making my announcement on 10 September 2007 because it was not necessary to do so. As a matter of courtesy my officials advised the Department of Culture, Media and Sport (DCMS) and UNESCO of my announcement and stated that I would provide a full report in due course.

In my statement I said that while I saw considerable merit in the proposal from Seaport Investments Limited there were some aspects which required clarification. I have asked my officials to engage with the developer and key stakeholders on those aspects and to report the outcome.

I will notify UNESCO before I make a final decision if there is any question that my decision will impact on the World Heritage Site.

DCMS is the normal channel for communications with UNESCO on matters relating to World Heritage Sites. It is therefore normal practice for my Department to deal with issues relating to UNESCO through DCMS.

Although UNESCO officials visited the Giant's Causeway in 2003 and 2005, that was prior to my Ministerial responsibility and I did not therefore have occasion to meet them.

I am in correspondence with Margaret Hodge, the Minister responsible for Culture, Creative Industries and Tourism at DCMS, in relation to the planning application which is under my consideration.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of the Environment if she will explain why UNESCO was informed of developments in relation to the Giant's Causeway only at the same time as her statement to the press on 10 September 2007; and what is her assessment of whether or not this is the best way of maintaining the support of UNESCO in relation to this issue. (AQW 846/08)

Mrs Foster: I did not consult with UNESCO prior to making my announcement on 10 September 2007 because it was not necessary to do so. As a matter of courtesy my officials advised the Department of Culture, Media and Sport (DCMS) and UNESCO of my announcement and stated that I would provide a full report in due course.

In my statement I said that while I saw considerable merit in the proposal from Seaport Investments Limited there were some aspects which required clarification. I have asked my officials to engage with the developer and key stakeholders on those aspects and to report the outcome.

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Although UNESCO officials visited the Giant's Causeway in 2003 and 2005, that was prior to my Ministerial responsibility and I did not therefore have occasion to meet them.

I am in correspondence with Margaret Hodge, the Minister responsible for Culture, Creative Industries and Tourism at DCMS, in relation to the planning application which is under my consideration.

Seaport Investments Planning Application

Mr O'Loan asked the Minister of the Environment to detail what representations her department has received from the Department of Enterprise, Trade and Investment in support of the planning proposal from Seaport Investments, prior to 10 September 2007. (AQW 847/08)

Mrs Foster: My Department has received no representations supporting the Seaport Investments planning proposal from the Department of Enterprise, Trade and Investment (DETI). During the processing of the application Geological Survey of Northern Ireland and the Northern Ireland Tourist Board, both organisations associated with DETI, were consulted. The

responses received have been available through the open file procedure and have been considered by Planning Service during the processing of the application.

Planning Proposal at the Giant's Causeway

Mr McGlone asked the Minister of the Environment, pursuant to her answer to AQW 568/08, if she will clarify which MP was scheduled to hold a site meeting on 3 January 2007. (AQW 854/08)

Mrs Foster: I am neither aware of the scheduled site meeting on 3 January 2007, in respect of the planning application at the Giant's Causeway, to which you refer nor which MP may have been involved. However, if you have more specific information I will be happy to instruct my officials in Planning Service to investigate further and will inform you of the outcome.

Northern Area Plan

Mr Wells asked the Minister of the Environment to detail the implications that the recent Judicial Review of the Northern Area Plan will have on the Draft Ards and Down Area Plan. (AQW 903/08)

Mrs Foster: My Department gave public notice in January 2005 that it determined in accordance with the European Directive and consequent Regulations that a Strategic Environmental Assessment of the Ards and Down Area Plan 2015 was not feasible. In this respect there are no implications from the ongoing legal process relating to the Strategic Environmental Assessment of the Draft Northern Area Plan for the Draft Ards and Down Area Plan.

Larne Shoreline

Mr K Robinson asked the Minister of the Environment what is her assessment of the impact of the continuing demolition of large dwellings along the shoreline at Larne, and their replacement with high density apartments, in light of the fact that this is the first area seen by tourists arriving in Northern Ireland on the North Channel ferry routes. (AQW 997/08)

Mrs Foster: The issue of the demolition of dwellings and their replacement by apartments has yet not become a significant problem as only two permissions have been granted. However, there is pressure for further re-development along this shoreline and I am aware of the concern being expressed by the local community about the impact of such change. Additional guidance to planning staff has recently been issued on my instruction about the application of current policy in respect of this type of development to ensure the established character of this area is properly protected

in line with policy objectives and that the individual or cumulative effects of proposals do not significantly erode the environmental quality, character and amenity of existing areas, for example through inappropriate design or over development.

High Density Developments

Mr K Robinson asked the Minister of the Environment what steps she will take to prevent coastal towns and villages in East Antrim from becoming overwhelmed by high density, high profile developments, similar to those that have impacted adversely on communities along the north coast. (AQW 998/08)

Mrs Foster: I am aware of the concerns being expressed about the impact of new development on small towns and villages and I can confirm that existing policy provisions and specifically the intensification of development within existing residential areas is currently being considered by a joint group of officials within my Department and DRD. More recently, Planning Service issued a circular on my instruction to all its professional planners to remind them of the need to fully consider the impact on the established residential character when processing applications for new residential development.

Giant's Causeway Visitors' Centre

Mr McGlone asked the Minister of the Environment, pursuant to her answer to AQW 568/08, if she will clarify which MP was scheduled to hold a site meeting on 3 January 2002. (AQW 1001/08)

Mrs Foster: There was no site meeting on 3 January 2002, in respect of the Seaport Investment planning application at the Giant's Causeway. The meeting that you seem to be referring to is one mentioned on file in a report from the local planning office which details some planning history around the Causeway Centre. The meeting was a deferral meeting that took place on 3 January 2002 after Planning Service had consulted Moyle Council on 17 December 2001 with an opinion to refuse an application E/2001/0302. The Council disagreed with the Planning Service opinion and a meeting with local councillors, Randal McDonnell, Gardiner Kane, David McAllister, William Graham, George Hartin and Catherine McCambridge and the local MP, Dr I R K Paisley MP MLA was arranged to discuss the case.

The application that was the subject of the deferral site meeting was for the erection of an arts, crafts and cultural centre with ancillary facilities and customer/visitor parking on land at Runkerry Road opposite the terminus for the Bushmills/Giant's Causeway railway. The site was different from that of the current Seaport

Investments site although there was a slight overlap. The application was subsequently the subject of a non-determination planning appeal which was dismissed by the Planning Appeals Commission on 11 July 2002.

FINANCE AND PERSONNEL

Public Sector Employment

Mr K Robinson asked the Minister of Finance and Personnel what steps he is taking to increase public sector employment in East Antrim, in light of the DETI Census of Employment that shows only 10% public sector employment in East Antrim, compared to 62% public sector employment in South Belfast and 53% in Belfast as a whole. (AQO 25/08)

The Minister of Finance and Personnel (Mr P Robinson): The consultation on 'The Guiding Principles for the Location of Public Sector Jobs in Northern Ireland' which closed on 30 April 2007 is the first step in developing a framework which would facilitate future decision-making on the location of public sector jobs. Following analysis of the consultation responses the Executive Committee held an initial discussion on the matter in July 2007 and will discuss the matter further this month.

Parenting Initiatives

Mr Beggs asked the Minister for Finance and Personnel what funding is being made available to implement cross-cutting parenting initiatives in the Department of Finance and Personnel, the Department of Education and the Department of Health, Social Services and Public Safety. (AQW 667/08)

Mr P Robinson: The Department of Finance and Personnel does not take forward any cross-cutting parenting initiatives.

The Department of Education allocates earmarked funding for parenting initiatives to the Education and Library Boards; the total funding provided for 2007-08 is £260,000.

With regard to the Department of Health, Social Services and Public Safety, the Secretary of State's announcement, on 6 December 2006, of a further £6m from the Children and Young People's Package has resulted in £4.5m being made available this financial year to target families and parents in need of additional support through the following initiatives:

	£'000
Contact Centres	800
Young People/Parent Support – young children on edge of crime	1,000
Young Carers – caring for adults	500
Family Group Conferencing	500
Family Therapeutic Workers	500
Mediation	210
Parent Helpline	250
Information service for parents	198
Parenting Programmes	344
Children's Centres	125
Total	4,427

Census

Dr Farry asked the Minister of Finance and Personnel what consideration he is giving to the introduction of censuses at five-yearly intervals, rather than at the current ten-yearly interval. (AQW 774/08)

Mr P Robinson: Planning is proceeding on the basis that the next census of population will take place in 2011 in conjunction with other parts of the United Kingdom. The need for a census at more frequent intervals is kept under review and forms an integral part of the evaluation process after each census. To date the ten yearly benchmark of the population is considered to have achieved the right balance between the accuracy of population estimates and cost.

Comprehensive Spending Review

Mr Weir asked the Minister of Finance and Personnel to detail the implications for Northern Ireland of the Comprehensive Spending Review. (AQW 1025/08)

Mr P Robinson: The Chancellor of the Exchequer announced the outcome of the 2007 Comprehensive Spending Review on Tuesday 9 October 2007, alongside his Pre-Budget Report. In overall terms the Comprehensive Spending Review provides for the Northern Ireland DEL to increase by an average of 1.7% per annum in real terms over the period 2008-09 to 2010-11.

However, prior to the CSR announcement, downward adjustments were made, by the Treasury, to the 2007-08 baselines of some Whitehall Departments, particularly the Department of Health. This had a consequential impact on the baselines of the Devolved Administrations (via the application of the Barnett formula to those adjustments). In the case of Northern

Ireland, there has been a reduction of £114 million which means the average annual real terms growth compared to actual 2007-08 spend is lower, at 1.2%, with growth of only 0.3% in 2010-11.

Notwithstanding this issue, the resources made available to NI over the CSR period amount to £443 million more than was available within the position set out by the Chancellor in May of this year. In addition, through direct discussions with the Chief Secretary to the Treasury, I have been able to secure access to our full stock of End Year Flexibility over the period – again representing a significant addition, in this case some £295 million, over the position reached in May.

Although I would, of course, have hoped for a better outcome from the CSR, the overall fiscal position at UK level has been clear for sometime, and the position is not unexpected. The CSR outcome further highlights the need for local departments to deliver significant levels of cash releasing savings in the coming year in order to meet costs pressures and provide for improved services. This will require Executive Ministers to make some difficult and challenging decisions as regards the prioritisation of public services as well as how those services are delivered.

In this respect I am establishing a Performance and Efficiency Delivery Unit to identify the scope to generate cash-releasing efficiencies and improve delivery across the public sector.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Patients Treated in Great Britain

Mrs I Robinson asked the Minister of Health, Social Services and Public Safety if he will provide a breakdown of (i) the number of occasions upon which patients from Northern Ireland have received treatment; and (ii) the types of treatment given, at hospitals in Great Britain, in each of the last five years.

(AQW 695/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): The number of occasions upon which patients from Northern Ireland received treatment; and type of treatment given (by specialty) at hospitals in Great Britain, in each of the last five years is detailed in the table below.

Specialty	Number of occasions upon which patients from NI have received treatment at hospitals in GB				
	2002/03	2003/04	2004/05	2005/06	2006/07
General Surgery	137	126	200	199	207
Urology	7	13	17	18	44
T & O Surgery	100	147	120	199	268
ENT	3	34	13	25	25
Ophthalmology	94	113	136	140	169
Oral Surgery	2	2	6	4	10
Orthodontics	0	0	0	0	1
Neurosurgery	12	11	25	57	23
Plastic Surgery	58	42	41	38	102
Cardiac Surgery	304	199	199	117	115
Paediatric Surgery	20	27	30	25	84
Thoracic Surgery	2	1	0	1	7
Accident & Emergency	0	0	1	0	12
Anaesthetics	2	6	0	0	7
General Medicine	0	0	0	6	26
Gastroenterology	2	7	5	13	22
Endocrinology	0	2	10	6	7
Haematology	10	24	31	20	17
Audiological Medicine	1	1	14	1	0
Clinical Genetics	0	2	1	7	14
Clinical Immunology & Allergy	1	2	0	4	5
Rehabilitation	1	2	0	1	4
Cardiology	58	73	125	121	160
Dermatology	4	2	10	14	18
Thoracic Medicine	0	1	3	3	1
Infectious Diseases	0	4	0	2	2
Genito-Urinary Medicine	0	0	0	0	0
Nephrology	3	4	3	6	1
Medical Oncology	0	3	0	2	7
Nuclear Medicine	4	0	0	0	0
Neurology	96	95	103	134	191
Rheumatology	8	10	7	5	7
Paediatrics	136	140	154	98	149
Paediatric Neurology	8	9	16	17	19
Geriatric Medicine	0	0	0	0	4

Specialty	Number of occasions upon which patients from NI have received treatment at hospitals in GB				
	2002/03	2003/04	2004/05	2005/06	2006/07
Dental Medicine Specialties	4	0	4	3	4
Obstetrics	5	24	12	21	32
Gynaecology	7	8	15	13	34
Obstetrics (Ante Natal)	0	1	0	0	0
GP Other	0	0	0	0	3
Mental Illness	111	154	181	235	295
Child & Adolescent Psychiatry	2	4	1	1	12
Old Age Psychiatry	14	17	9	9	1
Clinical Oncology	66	58	98	108	92
Radiology	0	0	2	12	9
Chemical Pathology	0	1	0	0	0
Haematology	0	5	4	4	7
Medical Microbiology	0	0	0	1	0
Other	340	301	357	493	450

Source: Health and Social Services Boards

Patients Treated in Great Britain

Mrs I Robinson asked the Minister of Health, Social Services and Public Safety to detail the number of patients from Northern Ireland who (i) were offered medical treatment at hospitals in Great Britain; (ii) received medical treatment at hospitals in Great Britain; and to detail the cost his department incurred in the provision of this service, in each of the last five years. (AQW 697/08)

Mr McGimpsey: The number of patients from Northern Ireland who (i) were offered medical treatment at hospitals in Great Britain is not available

The number of patients from Northern Ireland who (ii) received medical treatment at hospitals in Great Britain in each of the last five years are detailed in the table below.

Financial year	Number of patients from Northern Ireland who received medical treatment at hospitals in GB
2002/03	893
2003/04	841
2004/05	896
2005/06	1070

Financial year	Number of patients from Northern Ireland who received medical treatment at hospitals in GB
2006/07	1341

Source: Health and Social Services Boards

The cost incurred by the Department for Health, Social Services and Public Safety in the provision of this service, are only available from financial year 2003/04 to 2005/06. This information is detailed in the table below.

Financial year	Cost incurred by DHSSPS in the provision of medical treatment for patients from Northern Ireland at hospitals in GB (£ million)
2003/04	5.6
2004/05	8.7
2005/06	10.9

Source: DHSSPS

The above figures relate to payments made directly to hospitals in Great Britain by the four Health and Social Service Boards. Further expenditure may have been incurred by Trusts who have received funding from the Boards, but who have opted, for medical reasons, to send a patient to Great Britain for treatment. Information on these costs is not captured by the Department.

European Regulation 1924/2006

Mr Hamilton asked the Minister of Health, Social Services and Public Safety what is his assessment of the impact of European Regulation 1924/2006 on nutrition and health claims, which applies from 1 July 2007, and which will restrict the legitimate activities of dieticians to communicate practical health information about food and drinks. (AQW 719/08)

Mr McGimpsey: European Regulation 1924/2006 applies to commercial communications only. It will not control dieticians' ability to provide advice or information on

Nutrition and healthy eating in a non-commercial context.

The Food Standards Agency has produced a Regulatory Impact Assessment which accompanied the implementing Statutory Rules of Northern Ireland and was laid before the Assembly on 27 July 2007. The Government's Regulatory Impact Assessment reflects information received from consultations with stakeholders.

Community Care Packages

Mr Hamilton asked the Minister of Health, Social Services and Public Safety to detail the number of people who were awaiting community care packages on 31 March 2007, broken down by Health and Social Care Trust. (AQW 720/08)

Mr McGimpsey: At 31 March 2007, 635 people were awaiting community care packages in Northern Ireland, of which 347 were waiting in the community and 288 in an acute setting.

HSC Trust	Total Waiting for Community Care
Belfast HSC Trust	136
Northern HSC Trust ¹	244
South Eastern HSC Trust	188
Southern HSC Trust	13
Western HSC Trust	54
Northern Ireland	635

Source: DHSSPS Information returns CC5b & DD1.

¹ The Trust of residence of 19 patients waiting in an acute setting in Northern HSC Trust hospitals is unavailable. These patients have been counted as Northern HSC Trust residents.

NHS Dentists

Mr McGlone asked the Minister of Health, Social Services and Public Safety if he will provide a break down, by Health and Social Care Trust, of the number of dentists currently accepting National Health Service patients. (AQW 775/08)

Mr McGimpsey: It is not possible to provide information on the number of dentists who will accept new Health Service patients as this information is not collected centrally; however, Table 1 provides information on the number of dentists registered to provide Health Service dentistry in each Health and Social Care Trust at September 2007 who have had new Health Service patient registrations in the previous year. These could include re-registrations of existing patients whose 15-month registration period had elapsed or patients who have moved from another dentist. Note that it does not mean that these dentists will continue to accept Health Service registrations, nor that other dentists will not have Health Service registrations in the future.

TABLE 1

Health & Social Care Trust	Number of dentists with new Health Service patients registrations ¹²³⁴
Belfast	199

Health & Social Care Trust	Number of dentists with new Health Service patients registrations ^{1 2 3 4}
Northern	181
South Eastern	140
Southern	152
Western	118
Total	790

Source: Central Services Agency

- 1 Includes Principal dentists only - excludes assistants and Vocational Dental Practitioners.
- 2 Dentist numbers taken from the list of all dentists registered to provide Health Service dentistry in September 2007.
- 3 Should a dentist work in more than one practice within a Health and Social Care Trust then they have only been counted once within that Trust but if they work across Trusts then they have also been counted once in each relevant one.
- 4 Includes dentists working in the 12 month period October 2006 to September 2007 with registered patients at September 2007 who were not registered at October 2006

New Hospital in Omagh

Mr Bresland asked the Minister of Health, Social Services and Public Safety to detail the proposed timetable for the opening of the new hospital in Omagh; and what services will be provided by the hospital. (AQW 786/08)

Mr McGimpsey: The construction of the new Local Hospital Complex is expected to be completed in 2011/12. Advance works contracts will start shortly and target project milestones are:

Appoint Preferred Bidder	2009/10
Construction commenced	2010/11
Transfer to New Hospital	2012/13

The new hospital is expected to provide 70% to 80% of the hospital services required by the local population. Services are expected to include:

- A 24/7 urgent care centre,
- Outpatient services,
- Diagnostic services,
- Renal dialysis,
- Day procedures and day case surgery,
- Inpatient beds, and
- Ambulatory care services.

In addition, the Local Hospital Complex will include:

- A Health and Care Centre, and
- A Mental Health Centre with inpatient beds.

Nurses in Training

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the number of nurses trained in hospitals in Northern Ireland, in the final year prior to the introduction of the delivery of this training in universities. (AQW 788/08)

Mr McGimpsey: Prior to the Department commissioning nurse training from Queen's University with effect from September 1997, student nurses were trained in five colleges of nursing in Northern Ireland. These colleges were the responsibility of the National Board for Nursing which ceased to exist with effect from 31st March 2002.

Based on bursary starter figures for the three years 1994, 1995 and 1996, it can be determined that there were approximately a total of 1391 nurses in training prior to September 1997.

Non-EU Nurses

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the number of nurses from abroad who are currently employed in Northern Ireland. (AQW 789/08)

Mr McGimpsey: Information is not available in the form requested. Information is only collected on numbers of nurses from EU and non-EU countries, and the available latest information indicates that there are 909 (1) nurses (855.73 WTE (2)) from non-EU countries employed in the Health Service in Northern Ireland.

Notes:

1. These figures do not include Nursing Auxiliaries and bank staff.
2. WTE = Whole-Time Equivalent.

Nurses in Training

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the number of nurses trained in Northern Ireland, in each of the last five years. (AQW 790/08)

Mr McGimpsey: The numbers of pre-registration nurses that began training in Northern Ireland in each of the last five years are as follows:

FULL TIME UNDERGRADUATES

Academic year 2007-2008	730
Academic year 2006-2007	730
Academic year 2005-2006	750

Academic year 2004-2005	750
Academic year 2003-2004	750

EMPLOYMENT BASED PART TIME NURSING

Academic year 2007-2008	52
Academic year 2006-2007	36
Academic year 2005-2006	18
Academic year 2004-2005	0
Academic year 2003-2004	30

Nurse Training Costs

Mr Easton asked the Minister of Health, Social Services and Public Safety to detail the total cost of training a fully qualified nurse. (AQW 791/08)

Mr McGimpsey: Based on the rates for academic year 2007-2008, the cost in Northern Ireland of training an average student nurse to qualification is in the region of £36,220 per student.

NHS Physiotherapists

Mr S Wilson asked the Minister of Health, Social Services and Public Safety to detail the total number of physiotherapists employed in the National Health Service in Northern Ireland, in each of the last five years. (AQW 801/08)

Mr McGimpsey: The information is detailed in the table below:

PHYSIOTHERAPISTS AND PHYSIOTHERAPY SUPPORT IN NI HSC AS AT 30TH MARCH IN EACH YEAR

	Physiotherapists		Physiotherapy Support	
	Headcount	WTE	Headcount	WTE
2003	738	549.18	128	81.64
2004	792	590.26	126	79.1
2005	834	622.81	106	67.6
2006	872	648.42	110	67.91
2007	935	689.55	136	89.21

Source: Human Resources Management System

Notes: 2. WTE = Whole-Time Equivalent.

Physiotherapy Training

Mr S Wilson asked the Minister of Health, Social Services and Public Safety to detail the total cost of training a physiotherapy graduate. (AQW 802/08)

Mr McGimpsey: Based on the 2007-2008 academic year's costs, the total cost in Northern Ireland of training a physiotherapy graduate is in the region of £25,311 per student.

Physiotherapist Waiting Times

Mr S Wilson asked the Minister of Health, Social Services and Public Safety to detail the average waiting time for patients who need to see a physiotherapist. (AQW 803/08)

Mr McGimpsey: Information on the average waiting time for physiotherapy is not collected centrally. Information is, however, collected on completed waiting times for a first outpatient appointment of an episode of care with a community physiotherapist, according to specific time bands.

During the quarter ending 31 March 2007, 18,380 persons attended their first outpatient appointment with a community physiotherapist. Of these, 13,643 had waited less than 3 months, 3,859 had waited 3 to 6 months, and 878 had waited 6 months or more.

	Time waiting			All Patients attending first Physiotherapy appointment
	Less than 3 months	3-6 months	6 months or over	
Number	13,643	3,859	878	18,380
Percentage	74%	21%	5%	-

Source: Departmental Information Return CP3

Note: The service may be provided by either community or hospital Trusts

Physiotherapists Commencing Training

Mr S Wilson asked the Minister of Health, Social Services and Public Safety to detail the number of physiotherapists trained in Northern Ireland, in each of the last five years. (AQW 804/08)

Mr McGimpsey: Academic year 2007-2008 - 50

Academic year 2007-2008	50
Academic year 2006-2007	0
Academic year 2005-2006	94
Academic year 2004-2005	70
Academic year 2003-2004	93

Physiotherapists

Mr S Wilson asked the Minister of Health, Social Services and Public Safety what plans he has to match the demand for physiotherapists with supply from colleges in Northern Ireland. (AQW 805/08)

Mr McGimpsey: The Department has established on-going workforce planning as a means of maintaining focus on the supply/demand of appropriately trained staff to meet service needs. Recent work carried out has identified a number of areas to be addressed in the longer-term, to safeguard availability of an appropriate physiotherapy workforce into the future. This includes consideration of career development pathways and examination of the optimum balance in grade levels in physiotherapy from junior to the most senior levels.

Comprehensive Spending Review

Mr Lunn asked the Minister of Health, Social Services and Public Safety to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within his department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 832/08)

Mr McGimpsey: DHSSPS is fully committed to the policy and strategic framework for good relations in Northern Ireland as outlined within the report, 'The Cost of Division – A Shared Future Strategy'. DHSSPS promotes a culture of tolerance in which all individuals are treated as equals and, good relations is an underpinning theme in developing our policies and practices and shapes the delivery of high quality public services.

Consideration of good relations is an integral element of my Department's work on the Comprehensive Spending Review. At each stage in the preparation and collation of bids, respondents were required to set out whether the bid had a positive or negative impact on equality, good relations, poverty/social inclusion and sustainable development. This information provided essential evidence to support the prioritisation and ranking of Departmental bids and was incorporated in the information submitted to DFP in support of each bid.

My officials also used their knowledge of stakeholders' needs and views obtained in last year's Priorities and Budget consultation to advise on areas where expenditure might be maintained, be prioritised for any additional funding available, or reduced to help fund higher priority activities in other areas. In particular, prioritisation of mental health and children and young people reflect the views of HPSS stakeholders.

Comprehensive Spending Review

Mr Ford asked the Minister of Health, Social Services and Public Safety to detail how good relations considerations have been taken into account within his department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 841/08)

Mr McGimpsey: DHSSPS is fully committed to the policy and strategic framework for good relations in Northern Ireland as outlined within the report, 'The Cost of Division – A Shared Future Strategy'. DHSSPS promotes a culture of tolerance in which all individuals are treated as equals and, good relations is an underpinning theme in developing our policies and practices and shapes the delivery of high quality public services.

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Satellite Cancer Centre

Mr Doherty asked the Minister of Health, Social Services and Public Safety if he will provide a firm commitment that a satellite cancer centre, based in the north west, will be delivered; and to outline the proposed timescale within which this facility will become operational, in light of the discussions on this issue at the North-South Ministerial Council meeting on 5 October 2007. (AQW 878/08)

Mr McGimpsey: The cancer unit in Altnagelvin Area Hospital is one of five cancer units in Northern Ireland providing a wide range of high quality cancer services from screening and diagnosis to specialist oncology therapies. The Cancer Centre was developed to meet the needs of the population of Northern Ireland until 2015, beyond which further capacity is likely to be required, particularly for radiotherapy services currently only provided at the Cancer Centre.

My Department, in conjunction with the Department of Health and Children, is currently assessing the potential for further cooperation to improve health service provision for people in Northern Ireland and the Republic of Ireland. Cancer services is one area that will be explored within that process. I am keen to secure improvements in access to services for the population of Northern Ireland where this can be achieved through mutual co-operation. At this stage, however, I am not yet in a position to commit formally to the establishment of a satellite centre in the North West.

Community Care Infrastructure Programme

Mr Doherty asked the Minister of Health, Social Services and Public Safety if he will explain the reasons why Strabane Health and Care Centre was not included in the first phase of the Western Health and Social Services Board's Capital Development proposals, under the Community Care Infrastructure Programme.

(AQW 879/08)

Mr McGimpsey: The Western Health and Social Services Board's capital development proposals for the Primary and Community Care Infrastructure (PCCI) programme were submitted for approval in the form of a business case to the Department in July 2007. The Strabane Health and Care Centre Project was identified by the Board in this business case as meriting inclusion in the second phase of the PCCI Programme. The prioritisation of projects and their allocation to different phases of the programme was based on an assessment of the state of existing premises and the range of services currently provided. The condition of the current Strabane premises was judged good, with some £900,000 having been spent on improvements to the Health Centre since 2001/02. It is envisaged that detailed proposals for the new Strabane project should be submitted to the Department by the end of 2009. The proposals would be subject to Departmental approval, and availability of the necessary capital and revenue funding. There are no plans for further enhanced services in the interim period.

Strabane Health and Care Centre

Mr Doherty asked the Minister of Health, Social Services and Public Safety to give the timescale within which the business case for Strabane Health and Care Centre will be completed; and to outline what enhanced services are being considered for this centre in the interim period.

(AQW 880/08)

Mr McGimpsey: The Western Health and Social Services Board's capital development proposals for the Primary and Community Care Infrastructure (PCCI) programme were submitted for approval in the form of

a business case to the Department in July 2007. The Strabane Health and Care Centre Project was identified by the Board in this business case as meriting inclusion in the second phase of the PCCI Programme. The prioritisation of projects and their allocation to different phases of the programme was based on an assessment of the state of existing premises and the range of services currently provided. The condition of the current Strabane premises was judged good, with some £900,000 having been spent on improvements to the Health Centre since 2001/02. It is envisaged that detailed proposals for the new Strabane project should be submitted to the Department by the end of 2009. The proposals would be subject to Departmental approval, and availability of the necessary capital and revenue funding. There are no plans for further enhanced services in the interim period.

Myasthenia Gravis

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail his department's current position in relation to the treatment of myasthenia gravis; and what support is available for those who are diagnosed with this disease.

(AQW 893/08)

Mr McGimpsey: Myasthenia gravis is an immune disorder which results in muscle weakness.

A range of treatment and support options are available and will depend on the patient's specific symptoms and their severity. This treatment is neurology led, with elements of care provided by intensive care, thoracic surgery and occasionally ophthalmologists. The medical service is delivered through general neurology clinics throughout Northern Ireland.

In severe cases patients may require specialist in-patient management. This is available in the Royal Victoria Hospital. Out-patient access to a myasthenia specialist for diagnosis and management of complex cases is available within the Belfast Trust at the Belfast City Hospital Muscle Clinic.

Intractable Epilepsy

Mr McElduff asked the Minister of Health, Social Services and Public Safety what discussions he has had with Great Ormond Street Childrens Hospital, specifically in relation to the type of assessment and evaluation methods and diagnostic tools that are used to treat children with intractable epilepsy; and whether or not the hospital can provide a 3-Tesla MRI scanner to treat children suffering from this condition.

(AQW 913/08)

Mr McGimpsey: My Department has been in contact with Great Ormond Street Hospital (GOSH)

and I can confirm the hospital offers a wide range of assessment, evaluation, diagnostic and treatment services for children suffering from epilepsy. A recognised expert in the management of intractable epilepsy provides a specialist service at GOSH.

I understand that a 3-TESLA MRI scanner may be used in the diagnosis of illnesses, including epilepsy, but it is not a treatment tool. While GOSH does not have a 3-TESLA MRI Scanner, clinicians have access to the highest quality diagnostic equipment available in the UK.

Home Start Organisations

Mr Irwin asked the Minister of Health, Social Services and Public Safety what plans he has to extend the funding for Home Start organisations, under the Children and Young People's Fund, beyond 31 March 2008. (AQW 916/08)

Mr McGimpsey: The four Home-Start projects, Home-Start Armagh and Dungannon, Home-Start Ards, Comber and the Peninsula, Home-Start Down District and Home-Start Newry and Mourne, will continue to be supported by the Department of Health Social Services and Public Safety through the Children's Fund component of the Children and Young People's Funding Package until March 2008. As you will be aware, Government spending plans after that date have yet to be finalised.

Ambulance Provision in Ballycastle

Mr McKay asked the Minister of Health, Social Services and Public Safety to detail (i) the number of ambulances and associated staff that are currently stationed in Ballycastle; (ii) the number of nights on which local crews are being used for cover; and (iii) whether or not this level of provision will be developed or continued in the short, medium or long term. (AQW 917/08)

Mr McGimpsey: The Northern Ireland Ambulance Service advises that one crewed emergency ambulance is currently based at Ballycastle ambulance station providing 24/7 cover in the area. This cover is provided by 11 staff. A back-up emergency ambulance vehicle is also available.

Currently, there are no plans to increase the level of ambulance provision at Ballycastle station.

Ambulances

Mr Wells asked the Minister of Health, Social Services and Public Safety what plans he has to remove

bull bars from ambulances and similar vehicles currently in use in Northern Ireland. (AQW 936/08)

Mr McGimpsey: The Northern Ireland Ambulance Service currently has 3 four wheel drive vehicles fitted with "bull bars". These are specialist response vehicles with winching facilities. The bars form an integral part of the vehicles and provide structural strength and protection when operating the winches in off-road situations. There are currently no plans to remove them.

Compensation for Medical Negligence

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 485/08, to detail the reasons for the number of outstanding compensation claims, in each of the last five years. (AQW 958/08)

Mr McGimpsey: Information in the form requested is not readily available and could only be obtained at disproportionate costs.

Carers

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail the support, including respite, that his department provides to carers and their families. (AQW 969/08)

Mr McGimpsey: Carers have a legal entitlement to an assessment of their needs, aimed at supporting them in their caring role. Health and Social Care Trusts are empowered to provide a range of services to carers including the provision of information, advice, training and practical support. An important element of practical support is respite, which may take many different forms from regular breaks to ad hoc sitting services.

Following the launch of the carers' strategy my Department allocated additional funding of £400,000 per annum to support the expansion of existing support services to carers, including flexible respite provision. The Department has also commissioned an in-depth study of the support services available to carers, which will make important recommendations about the type of support that will best meets carers' needs in the future.

Suicide Prevention

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail his department's strategy and full level of support for suicide prevention in the North Antrim area. (AQW 970/08)

Mr McGimpsey: A Suicide Prevention Strategy was launched on 30 October 2006, and it contains over

60 actions that aim to reduce the rates of suicide. I have allocated over £3 million annually to support the Strategy's implementation.

Significant work has already been initiated regionally to implement the Strategy, including:

- establishment of a cross-sectoral implementation body;
- a pilot self-harm mentoring scheme and a pilot telephone helpline;
- research into the effects of the troubles on mental health and suicide rates;
- a new Depression Awareness Training Programme for GPs and frontline primary care staff; and
- a new joint North/South public information campaign.

In addition, £1.8 million of the Strategy's funding has been invested, via the four local Health and Social Services Boards, to support communities, and the Northern Health and Social Services Board (NHSSB) was subsequently allocated £363,960 to roll out their local suicide prevention action plan. The Board and local Investing for Health team the Department are now working closely with relevant stakeholders to take forward this action plan, and as part of the plan a number of initiatives have been taken forward in the North Antrim area. These include:

- appointment of a local suicide prevention co-ordinator;
- enhanced support for families bereaved by suicide;
- support for local public awareness campaign;
- additional counselling support for young people and marginalised and disadvantaged groups;
- roll out of suicide intervention and depression awareness skills training; and
- development of a community based small grants scheme programme to support local community based suicide prevention initiatives.

Depression

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail the support provided by his department to people in the North Antrim area who are suffering from depression.
(AQW 971/08)

Mr McGimpsey: Depression is a common disorder of varying severity, which can be treated by a range of services and treatments. Services currently can be accessed in the community, primary and secondary care settings and range from self-help and peer support initiatives to specialist mental health inpatient services.

The Northern Health and Social Care Trust provide support to people in the North Antrim area who are suffering from depression through multi – disciplinary Community Mental Health Teams. Patients also receive counselling support including the use of Cognitive Behavioural Therapy techniques. There are two clinical psychologists covering the North Antrim area (including Coleraine). Every GP has information about online courses for depression that people can access free of charge. The voluntary sector is also active in this area.

Ambulances

Mrs Hanna asked the Minister of Health, Social Services and Public Safety to detail (i) the number of ambulances in Northern Ireland; (ii) the location of ambulance stations; and (iii) the criteria used to determine where ambulance stations are placed.
(AQW 979/08)

Mr McGimpsey: The Northern Ireland Ambulance Service (NIAS) currently has 132 A&E ambulances and one cardiac ambulance,. It also has 11 Rapid Response and 105 patient care services vehicles. These vehicles are deployed at the following locations which are ambulance stations unless otherwise indicated.

NIAS Division	
Northern	Antrim
	Ballycastle
	Ballymena
	Ballymoney
	Carrickfergus
	Coleraine
	Cookstown
	Larne
	Magherafelt
	Portrush*
	Whiteabbey
Southern	Armagh
	Ballygawley*
	Banbridge
	Craigavon
	Dromore*
	Dungannon
	Kilkeel
	Lurgan*
	Newry

NIAS Division	
	Warrenpoint*
Eastern	Ardoyne
	Ards
	Ballymacarrett
	Bangor
	Broadway
	Carryduff*
	City Business Park (Derriaghy)
	Donaghadee*
	Downpatrick
	Forster Green*
	Knockbracken
	Lisburn
Eastern (continued)	M1 Business Park*
	Newcastle
	Ulster Hospital*
Western	Altnagelvin
	Castlederg
	Enniskillen
	Fintona*
	Limavady
	Northland*
	Omagh
	Omagh*
	Strabane

*Deployment Point

The majority of NIAS's ambulance stations were inherited on its establishment in 1995 from the four former Health and Social Services Board ambulance services and are generally sited on or near hospital facilities. More recently, scientific models employing historic activity data have been used to determine the location of additional dynamic deployment points from which ambulances can respond most effectively to emergency calls.

Vaccination Programme

Mrs Hanna asked the Minister of Health, Social Services and Public Safety what preparations his department is making to introduce a vaccination programme for cervical cancer; and what plans he has to roll out liquid based cytology screening across Northern Ireland. (AQW 982/08)

Mr McGimpsey: The Department of Health and Social Services and Public Safety has bid for funding under the Comprehensive Spending Review to introduce a human papilloma virus (HPV) vaccination programme aimed at reducing the number of deaths from cervical cancer.

The Department of Health and Social Services and Public Safety has begun to roll out Liquid Based Cytology across each of the four Health Board areas. It is expected all four board areas will be fully converted by March 2008.

Speech and Occupational Therapy

Mrs Hanna asked the Minister of Health, Social Services and Public Safety to detail what contingency plans he has to ensure that the speech and occupational therapy needs of children and young people are met, during periods of industrial action. (AQW 984/08)

Mr McGimpsey: My Department is considering the provision of services by Allied Health Professionals under the Value for Money Audit Programme and is seeking to establish the level and costs of provision that is needed for temporary cover for therapy services.

My Department is also currently undertaking a review of speech & language therapy services in the form of the Regional Speech and Language Therapy Taskforce. This group will propose future workforce planning arrangements, which take account of gaps in provision. It will also identify issues, relating to current working arrangements and terms and conditions of employment, that impact on service provision.

The Taskforce will produce a report of its findings and recommendations by December 2007.

Cancer Consultants

Mrs I Robinson asked the Minister of Health, Social Services and Public Safety to detail the number of women who are experiencing delays in accessing an appropriate consultant, following diagnosis of (i) breast cancer; (ii) ovarian cancer; and (iii) bowel cancer, due to lack of accessibility in rural areas, broken down by Health and Social Services Board area, in each of the last three years. (AQW 1042/08)

Mr McGimpsey: Information on the waiting time between cancer diagnosis and a subsequent appointment with a consultant is not collected.

I have set the following Priority for Action targets for my Department relating to waiting times for cancer services, to be achieved by 31st March 2008:

All breast cancer referrals deemed urgent according to regionally agreed guidelines for suspected breast cancer should be seen within 14 days of the receipt of the GP referral.

By 31 March 2008, 98% of cancer patients will commence first definitive treatment within 31 days from the date of decision to treat.

By 31 March 2008, 75% of cancer patients will commence first definitive treatment from the date of initial GP referral.

The waiting time from a cancer diagnosis to an appointment with an appropriate consultant thereafter, is not currently a Priority for Action target for my Department. Consequently, this information is not collected.

REGIONAL DEVELOPMENT

Mains Water Supply, James St, Coleraine

Mr G Robinson asked the Minister for Regional Development to detail the number of occasions upon which repair work has been carried out to the mains water supply pipe between numbers 1 and 37 James Street, Coleraine, in each of the last ten years. (AQW 604/08)

The Minister for Regional Development (Mr Murphy): I have been advised by Northern Ireland Water that, over the past ten years, 11 repairs have been carried out to the water mains in James Street. Details of the nature and number of the repairs in each of the years is tabled below.

Repair to:	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Burst Watermain		1		1			1			1
Burst Service Pipe	1		1				1			
Valve Repair										2
Valve Replacement										1
Faulty Stopcock				1						

Planning Policy Statement 14

Mr McGlone asked the Minister for Regional Development to detail the legal costs incurred by his department in respect of the judicial review on Planning

Policy Statement 14: Sustainable Development in the Countryside. (AQW 622/08)

Mr Murphy: I am presently unable to answer this question as the Court has yet to make its final decision including the award of costs. However I will write to the Member and provide the information once it becomes available.

Disabled Parking Bays

Mr Durkan asked the Minister for Regional Development to detail the number of successful and unsuccessful applications for disabled parking bays, broken down by constituency and district council area, in 2005; 2006; and 2007, to date. (AQW 651/08)

Mr Murphy: My Department's Roads Service does not maintain records of applications for disabled parking bays, broken down by constituency or by district council area.

However, in relation to AQW 651/08 the table below details the number of applications for disabled parking bays received by Roads Service, and those subsequently rejected, in the years 2002 to 2006.

	2002	2003	2004	2005	2006
Applications for disabled parking facilities outside homes	278	333	347	355	336
Rejected Applications	180	208	218	198	187

Figures in respect of 2007 are not yet available.

Typically, the reasons why applications are rejected include:

- the applicant is not the driver of the vehicle;
- there are no significant parking problems in the area or the applicant has access to alternative off street parking; or
- the applicant is not a blue badge holder and, if under 65, not in receipt of higher rate of Disabled Living Allowance or Attendance Allowance.

With regard to AQW 652/08, the time taken to process an application for a disabled parking bay, depends on the circumstances of the individual application. I should explain that when an application is received, the availability of parking in the subject area is assessed by site visits at various times of the day. It normally takes about three weeks to complete an assessment and approval is then required from the PSNI before the legislative process, including local consultation, to authorise disabled parking facilities can begin. Subject to there being no objections, this process usually takes about six months to complete.

Installation of Disabled Parking Bays

Mr Durkan asked the Minister for Regional Development to detail the current time taken from the date of application, to the installation of a disabled parking bay, broken down by constituency and district council area. (AQW 652/08)

Mr Murphy: My Department's Roads Service does not maintain records of applications for disabled parking bays, broken down by constituency or by district council area.

However, in relation to AQW 651/08 the table below details the number of applications for disabled parking bays received by Roads Service, and those subsequently rejected, in the years 2002 to 2006.

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Park and Ride Facilities

Mr K Robinson asked the Minister for Regional Development to give a timescale within which the proposed Park and Ride facilities at Jordanstown will become operational; and to detail when Park and Ride facilities will be introduced at Greenisland Railway Station. (AQW 659/08)

Mr Murphy: Translink are currently considering the feasibility of constructing a Park and Ride facility at Jordanstown before deciding if the project should proceed. Subject to completion of a satisfactory economic appraisal, Translink hope to complete work to provide Park and Ride facilities at Greenisland by August 2008.

Road Safety

Mr K Robinson asked the Minister for Regional Development to give a timescale within which a scheme will be brought forward to address road safety issues at the junction of the Doagh Road and Carnmoney Road North; and what progress has been made toward initiating an improvement scheme at the nearby Doagh Road/B90 junction at Mossley railway bridge. (AQW 662/08)

Mr Murphy: My Department's Roads Service has advised me that the detailed traffic modelling of the road junctions at Doagh Road/Carnmoney Road North and Doagh Road/B90 Old Lodge Row in Newtownabbey, is now complete. Roads Service considers that the provision of traffic signals would be the most appropriate form of junction improvement to address the problems being experienced at both junctions.

However, as with all road schemes, these must be prioritised in order to ensure the most urgent and best value for money schemes are progressed. These schemes will have to compete for priority with all other schemes in Roads Service's Eastern Divisional area and progress is subject to the availability of the necessary lands and finances.

You may be aware that, earlier this year, a planning application was lodged at the adjacent Global Point/Ballyhenry industrial development site. A Transport Assessment for the site is currently being considered and early indications are that alterations to a number of junctions on the existing road network (including the Doagh Road / Carnmoney Road North and Doagh Road / B90 Old Lodge Row junctions) will be required to mitigate the impact of this development.

While discussions with the developer are continuing, it would be inappropriate for me to comment on the timescale for improvements at these junctions. I have therefore asked the Divisional Roads Manager to advise you of the outcome, once the discussions have concluded.

Erection of Illegal Signs

Mr Easton asked the Minister for Regional Development what plans he has to introduce additional legislation to prevent estate agents from erecting signs on lamp posts and telegraph poles. (AQW 663/08)

Mr Murphy: My Department's Roads Service would acknowledge that the placing/erection of illegal signs is a problem and endeavours to keep Departmental property free from illegal signage. However, dealing with illegal signs erected on telegraph poles is the responsibility of the appropriate utility operator, for example Northern Ireland Electricity or British Telecom.

Under Article 87 of the Roads (NI) Order 1993, Roads Service can serve a notice on the owner of an illegal sign, requesting its immediate removal from Departmental property. Failure to comply with a notice may result in Roads Service removing the illegal sign and recovering any reasonably incurred expenses from the offender.

Roads Service considers that its existing legislative powers are adequate and further legislation is not necessary. Indeed, there are several prosecutions pending against a number of estate agents who continue to offend.

Roads Maintenance

Mr G Robinson asked the Minister for Regional Development if he will explain the reasons why his department's expenditure on roads maintenance in 2007/08 will fall to £109 million, which is £5 million less than the expenditure in 2006/07, and £12 million less than the expenditure in 2005/06. (AQW 670/08)

Mr Murphy: In relation to AQW 670/08, my response to your earlier Assembly Question (AQW 323/08) set out the total expenditure incurred by my Department's Roads Service on maintenance activities in 2005/06 and 2006/07, which was £121 million and £114 million respectively. This reflects the final financial year-end position for both these years. However, the budget figure of £109 million for 2007/08 reflects the opening budget position and this amount will be subject to amendment at in-year monitoring rounds during the course of the 2007/08 financial year.

With regard to AQW 671/08, approximately 27% of the total expenditure on maintenance activities was spent in the Greater Belfast Area in the 2005/06 and the 2006/07 financial years, as detailed in the table below.

	2005/06 £000's	2006/07 £000's
Greater Belfast Area	33,000	31,000
Total for the North	121,000	114,000
Percentage	27%	27%

Maintenance expenditure includes all maintenance costs, for example, structural maintenance (which includes resurfacing, reconstruction, surface dressing,

patching etc.), routine maintenance (grass cutting, gully emptying and environmental work), traffic management, street lighting and car park maintenance costs.

In distributing the resources available for road maintenance, allocations are made to the four Roads Service Divisions on the basis of need, using a range of weighted indicators tailored to each maintenance activity. The Divisions also use these indicators when apportioning across district council areas to ensure, as far as possible, an equitable distribution of funds.

Roads Maintenance

Mr G Robinson asked the Minister for Regional Development if he will make a statement outlining the justification for spending approximately 25% of his department's budget for roads maintenance in 2005/06, and approximately 30% of the 2006/07 budget, on roads in the Greater Belfast area. (AQW 671/08)

Mr Murphy: In relation to AQW 670/08, my response to your earlier Assembly Question (AQW 323/08) set out the total expenditure incurred by my Department's Roads Service on maintenance activities in 2005/06 and 2006/07, which was £121 million and £114 million respectively. This reflects the final financial year-end position for both these years. However, the budget figure of £109 million for 2007/08 reflects the opening budget position and this amount will be subject to amendment at in-year monitoring rounds during the course of the 2007/08 financial year.

With regard to AQW 671/08, approximately 27% of the total expenditure on maintenance activities was spent in the Greater Belfast Area in the 2005/06 and the 2006/07 financial years, as detailed in the table below.

	2005/06 £000's	2006/07 £000's
Greater Belfast Area	33,000	31,000
Total for the North	121,000	114,000
Percentage	27%	27%

Maintenance expenditure includes all maintenance costs, for example, structural maintenance (which includes resurfacing, reconstruction, surface dressing, patching etc.), routine maintenance (grass cutting, gully emptying and environmental work), traffic management, street lighting and car park maintenance costs.

In distributing the resources available for road maintenance, allocations are made to the four Roads Service Divisions on the basis of need, using a range of weighted indicators tailored to each maintenance activity. The Divisions also use these indicators when

apportioning across district council areas to ensure, as far as possible, an equitable distribution of funds.

Regional Development Strategy

Mr Shannon asked the Minister for Regional Development if he can confirm that Northern Ireland's road and water infrastructure is overloaded, particularly in relation to the number of apartment blocks being built; and whether or not this issue will be addressed as part of the review of the Regional Development Strategy. (AQW 688/08)

Mr Murphy: The Regional Development Strategy (RDS) provides an important planning framework for tackling the deficiencies in our infrastructure and helping the overall development of our economy and society. The Strategy sends strong signals to all infrastructure providers about the future pattern of development. The first 5 year review of the RDS, which is now being finalised, will give increased emphasis to the need for the provision of necessary infrastructure to support housing development.

The impacts of any development proposals on the public road network and water infrastructure are important material considerations in relation to the determination of individual planning applications. Planning Service consults with DRD Roads Service and Northern Ireland Water (NIW) to ensure that any necessary upgrading of roads and water infrastructure is achieved through the planning process. Proposals which would adversely impact on road safety or damage the environment in terms of inadequate waste water disposal are unlikely to be approved if satisfactory solutions cannot be achieved.

In considering the impact of development proposals, including apartments, Roads Service advises on the appropriate standards and any required road improvements. Where appropriate, developers will be asked to prepare a detailed Transport Assessment, which must consider all modes of transport, with emphasis on walking, cycling and public transport.

NIW acknowledges that parts of the sewerage network across Northern Ireland need to be upgraded to ensure that the capacity is adequate to cater for development and to meet stringent environmental standards. A major programme of Drainage Area Studies is being undertaken to identify any improvements/upgrades required and NIW is committed to the implementation of the recommendations.

Regarding the impact of new apartment blocks on the sewerage system, because NIW requires all new development and re-development to be served by separate foul and rainwater sewers, any additional foul discharge from development does not significantly increase the risk of sewer overload.

NIW has a high level Water Resource Strategy covering the period from 2002 – 2030 which addresses the key issues of improving water quality in line with European legislation and developing the water supply to meet increasing demand.

Traffic Management Scheme in Waterfoot, Co. Antrim

Mr O'Loan asked the Minister for Regional Development to detail the progress made by Roads Service in relation to proposals for a traffic management scheme in Waterfoot, Co. Antrim. (AQW 690/08)

Mr Murphy: Firstly, in relation to AQW 690/08, following discussions with local representatives, a number of options have been drawn up for the provision of lay-bys in Main Street, Waterfoot. These lay-bys would reduce the parking on the carriageway, thereby assisting through traffic and helping to relieve traffic congestion. My Department's Roads Service intends to put proposals to local representatives and frontagers shortly, in order to seek their views. Depending on the outcome, Roads Service intends to carry out this scheme during the current financial year.

Secondly, in relation to AQW 691/08, the Shore Road, Cushendall was assessed for traffic calming measures in May 2006. This assessment indicated that a scheme could not be afforded a high priority at that time, when compared with other sites. A further assessment was carried out in January 2007, which suggested that the need for suitable measures had increased slightly. Towards the end of 2007 consideration will be given to the inclusion of a scheme in the programme for 2008/2009. However, as always, it would have to compete with many other requests.

With regard to AQW 692/08, Roads Service continually monitors traffic and road safety, as well as other traffic management issues, throughout North Antrim and other areas, and considers proposals and requests for various measures. Roads Service acknowledges that congestion in rural villages in North Antrim, particularly those on the signed Causeway Coastal Route, is an increasing problem. This congestion is usually related to parking issues. Decriminalised parking enforcement in the area, which has been in operation for nearly one year, is currently being reviewed in terms of the level of enforcement.

Roads Service intends to provide gateways at Ballintoy as a traffic calming measure and consideration is currently being given to requests for further gateways and other traffic calming measures. Their priority for inclusion in the 2008/2009 programme will be determined later this year.

In conjunction with Department of Agriculture and Rural Development and Sustrans, a Rural Schools project will be introduced at St Mary's Primary School in Cushendall. This will introduce Safer Routes to Schools measures at the primary school, to enhance safety and encourage the use of more sustainable and healthier means of travel.

Traffic Calming Measures on the Shore Road, Cushendall

Mr O'Loan asked the Minister for Regional Development to detail the progress made by Roads Service in relation to its assessment of the need for traffic calming measures on the Shore Road, Cushendall; and on the proposals to widen the footpath at this location. (AQW 691/08)

Mr Murphy: Firstly, in relation to AQW 690/08, following discussions with local representatives, a number of options have been drawn up for the provision of lay-bys in Main Street, Waterfoot. These lay-bys would reduce the parking on the carriageway, thereby assisting through traffic and helping to relieve traffic congestion. My Department's Roads Service intends to put proposals to local representatives and frontagers shortly, in order to seek their views. Depending on the outcome, Roads Service intends to carry out this scheme during the current financial year.

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Traffic Management

Mr O'Loan asked the Minister for Regional Development what plans he has to provide better traffic management for all rural villages in the North Antrim area. (AQW 692/08)

Mr Murphy: Firstly, in relation to AQW 690/08, following discussions with local representatives, a number of options have been drawn up for the provision of lay-bys in Main Street, Waterfoot. These lay-bys would reduce the parking on the carriageway, thereby assisting through traffic and helping to relieve traffic congestion. My Department's Roads Service intends to put proposals to local representatives and frontagers shortly, in order to seek their views. Depending on the outcome, Roads Service intends to carry out this scheme during the current financial year.

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Ulster Grand Prix

Lord Morrow asked the Minister for Regional Development what restrictions are placed on spectators seeking to attend Ulster Grand Prix motorcycle races at Dundrod. (AQW 696/08)

Mr Murphy: My Department's Roads Service has advised that The Road Races (NI) Order 1986 provides for charging into the race area at the Dundrod circuit during the Ulster Grand Prix. Roads Service and Department of Culture Arts and Leisure (DCAL) are not aware of any further restrictions placed on spectators during the Ulster Grand Prix. DCAL advises that these would be a matter, in the first instance, for the promoters of the event.

Motorcycle Races

Lord Morrow asked the Minister for Regional Development to detail which motorcycle races in Northern Ireland charge admission fees to spectators. (AQW 699/08)

Mr Murphy: My Department's Roads Service has confirmed that the Ulster Grand Prix is the only motorcycle race held on public roads in the North where an admission charge may be levied under the provisions of the Road Races (Northern Ireland) Order 1986. Roads Service is not aware of charges that may be levied in respect of motorcycle races held on private property.

Northern Ireland Water

Mr Durkan asked the Minister for Regional Development if he will make a statement on the withdrawal of business customer payment facilities from Northern Ireland Water's local offices, indicating the method used to redeploy the staff involved, and detailing to what offices these staff members have been relocated. (AQW 710/08)

Mr Murphy: I have been advised by Northern Ireland Water that following the centralisation of customer billing at its Customer Relations Centre in Belfast, the range of customer payment methods was

extended and all customer payment facilities at local offices were phased out. As the local office payment facilities were used by only a small number of customers, the effect of withdrawal of payment facilities on staff was minimal and redeployment was not required.

The extensive range of payment options available to Northern Ireland Water customers includes an on-line facility, direct debit, cheque, credit or debit card or at a local bank or post office.

All-Ireland Ferry Port

Mr K Robinson asked the Minister for Regional Development what is his assessment of the likely impact that the establishment of an all-Ireland ferry port at Bremore will have on the future viability of the Port of Larne. (AQW 712/08)

Mr Murphy: I am aware that consideration is being given to development of port facilities at Bremore.

Ports in the North make their own assessments of the commercial opportunities and threats that they face. I would expect therefore that the privately-owned Port of Larne will make such an assessment in respect of any plans that emerge for Bremore.

Two-Way Traffic System on the Shimna Road, Newcastle

Mr W Clarke asked the Minister for Regional Development if he will consider allocating funding to the installation of a two-way traffic system on the Shimna Road, Newcastle, Co. Down. (AQW 726/08)

Mr Murphy: Officials from my Department's Roads Service have advised that traffic flow and movement of traffic within the town of Newcastle was studied during the production of the Sub Regional Transport Plan 2015.

During this process, options for making Shimna Road a two-way flow were considered. However, due to a number of constraints, this would not only be a difficult and costly project to undertake but the emergent benefits would not be obvious. The cost of the work, including the acquisition of land, would be in the region of £1million which could not be seen as a justifiable use of Roads Service's finite resources at this time.

Traffic Management

Mr Gallagher asked the Minister for Regional Development to detail the total cost of the new traffic management scheme at the former War Memorial site in Enniskillen; and to provide an assessment of the

benefits of the scheme since it came into operation.
(AQW 732/08)

Mr Murphy: My Department's Roads Service has advised me that the cost of the new traffic management scheme at the former war memorial site at Gaol Square, Enniskillen is not available to the Department as the scheme was provided by the developer of the new Asda retail outlet. The scheme was provided to mitigate the impact of the additional traffic generated by the new retail development.

Road Service's early observations indicate that the new traffic management scheme is performing satisfactorily.

Provision of Services for People With Disabilities

Mr P Ramsey asked the Minister for Regional Development to give his assessment of the service to people with disabilities, provided by Disability Action in Belfast and Bridge Accessible Transport in Derry/Londonderry.
(AQW 736/08)

Mr Murphy: Under my Department's Transport Programme for People with Disabilities (TPPD), both Disability Action and Bridge Accessible Transport have service level agreements with the Department to provide accessible transport to people with reduced mobility. I am satisfied that both organizations meet the terms of the agreements.

Recently following a public tendering exercise, the Department introduced new door-to-door services under the TPPD in a further 27 urban areas. These services have a higher specification than the services currently in Belfast and Derry. To ensure consistency of standards across all urban areas, my Department will soon begin a tender process for the provision of door-to-door transport in Belfast and Derry, with a view to commencing the services in these two areas on 1 April 2008.

Road Resurfacing at Lansdowne Gardens, Newtownards

Mrs I Robinson asked the Minister for Regional Development to outline what plans he has to re-surface the road at Lansdowne Gardens in Newtownards; and to detail the basis upon which this decision was reached.
(AQW 746/08)

Mr Murphy: My Department's Roads Service has advised me that the carriageway and footways in Lansdowne Gardens were surfaced a considerable number of years ago and their general condition has deteriorated, due to wear and tear, over the years. In

addition, some damage was caused, particularly at the two junction entrances to Lansdowne Gardens, as a result of a recent NI Water scheme, which involved additional heavy vehicles using the street as a local diversion route. As such, Lansdowne Gardens would be considered a suitable location for general improvement works.

Unfortunately, there is insufficient finance available to enable this area to be included in any improvement works programme at present. However, the areas damaged by the NI Water scheme will be repaired and Lansdowne Gardens will be kept under review for inclusion in any future programme.

Comprehensive Spending Review

Mr Durkan asked the Minister for Regional Development to confirm the amount of money he intends to bid for, with reference to capital and current outlay on the Belfast to Derry/Londonderry line, as part of the Comprehensive Spending Review process.
(AQW 754/08)

Mr Murphy: The bid which I made to the Comprehensive Spending Review included some £20.4 million capital for the Belfast to Derry line for the period 2008/09 to 2010/11.

No bid has been made for revenue funding on the line as further significant enhancement to services will not be possible until the capital investment has been made.

A2 Between Bangor and Belfast

Dr Farry asked the Minister for Regional Development what steps he is taking to make the flow of traffic along the A2 between Bangor and Belfast more efficient.
(AQW 773/08)

Mr Murphy: I would refer the Member to my reply to his previous similar question AQW 741/07 dated 28 June 2007.

Short-term proposals, to control right turning movements from the A2 into Sullivan Place and Old Belfast Road, remain on course for completion during this financial year.

The proposed signalisation of the junction at Palace Barracks is a developer-led scheme. I am advised that necessary design work has not been progressed, as anticipated, and that the work may not, therefore, be completed this financial year, as previously indicated.

The longer-term aspirations of Roads Service, to improve this route, remain unchanged.

Traffic Calming

Mr W Clarke asked the Minister for Regional Development what plans he has to carry out a review of the provision of traffic calming measures, with particular reference to introducing more economical methods of traffic calming, given the large numbers of requests for this type of work to be carried out.
(AQW 776/08)

Mr Murphy: My Department's Roads Service advises that its traffic calming policy and procedures were last updated in 2003, following a Best Value Review of its road safety procedures. As a result, requests for traffic calming schemes are prioritised using a points scoring system based on the assessment of a number of road safety and local environmental factors. These include speed and volume of traffic, collision history and general road characteristics. Application of this practice ensures that the highest priority schemes are completed first.

With regard to the methods of traffic calming, I am sure you will appreciate that as police resources to ensure enforcement of speed limits are limited, it is essential that any engineering measures installed in residential areas, are effective at ensuring that road traffic travels at the appropriate speeds. These installations naturally require considerable investment of capital and resources.

Roads Service has experimented with advisory 20 mph zones that incorporate enhanced signs and road markings but do not use road humps or other physical measures. However, experience from here and elsewhere has shown that these, more economical schemes are only effective when they have the support of the entire local community and the roads on which the signs are placed do not carry any through traffic.

Roads Service advises that it has no plans to review the policy on the provision of traffic calming measures, however, I can assure you that Roads Safety is a key priority for Roads Service and that my officials are constantly researching methods to continually improve the safety of our roads.

Railway Spending

Mr Durkan asked the Minister for Regional Development to detail the amount of money spent on capital projects on the railway line (i) between Derry/Londonderry and Coleraine; (ii) between Coleraine and Ballymena; and (iii) between Ballymena and Belfast, since 1 January 2005.
(AQW 780/08)

Mr Murphy: Translink has advised that the amount of expenditure incurred between 1 January 2005 to 30 September 2007 on capital projects on the Belfast to Derry line is as follows:

(i) £0.552 million between Derry and Coleraine;

(ii) £1.170 million between Coleraine and Ballymena; and

(iii) £0.773 million between Ballymena and Belfast.

This comes to a total of £2.495 million.

Comprehensive Spending Review

Mr Durkan asked the Minister for Regional Development to outline the capital projects and other purposes upon which the funding allocated to his department as part of the Comprehensive Spending Review is to be spent.
(AQW 781/08)

Mr Murphy: No funding has been allocated to specific DRD projects and programmes as part of the Comprehensive Spending Review at this stage. The Executive's Draft Budget 2007, which will include proposals for departmental allocations for the 3 years to 2010/11, is scheduled to be published for consultation during November and December 2007.

Belfast to Derry/Londonderry Railway Line

Mr Durkan asked the Minister for Regional Development to detail the number of speed restrictions that are in place on the Belfast to Derry/Londonderry railway line, indicating their locations, respective speed limits and the length of time they have been in place.
(AQW 782/08)

Mr Murphy: The general line speed on the Belfast to Derry/Londonderry has been downgraded from 70mph to 60mph.

There is also a permanent speed restriction of 40mph for 4 miles near Ballymoney.

The remaining speed restrictions are of a temporary nature and number 9 in total. The following table details these temporary speed restrictions.

Location	Date imposed	Length (miles)	Speed (mph)	Causation
Lisahally	24/9/07	1.0	30	Poor top and line due to deteriorated formation (wet beds)
Balnamore	3/9/07	0.5	30	Life expired formation which requires excavation, removal and replacement.
McConaghy's Crossing	3/9/07	0.25	10	Public road crossing.

Location	Date imposed	Length (miles)	Speed (mph)	Causation
Magherabeg	14/8/07	0.25	50	Work in progress on track alignment at switch and crossing units.
Glarryford	31/7/07	0.25	20	Poor top and line due to deteriorated ground/formation (wet beds).
Roe Bridge	14/5/07	0.25	30	Deteriorated formation, unable to hold alignment.
Ballyboyland	12/3/07	1.0	20	Life expired formation which requires excavation, removal and replacement.
Downhill	22/2/06	0.25	30	Poor alignment due to formation and track skeleton.

Location	Date imposed	Length (miles)	Speed (mph)	Causation
Limavady Junction	28/11/05	0.25	20	New track installed but bridge works required.

Railway Spending

Mr Durkan asked the Minister for Regional Development to detail the locations on the rail network, and when, the £23.6 million railway line investment announced in December 2004, was spent. (AQW 783/08)

Mr Murphy: In 2003, the Railways Review Group (RRG) was established to consider the immediate investment needs of the NIR network and in particular, those of the lines north of Ballymena and Whitehead. As a result of the RRG report, Ministers agreed to provide total funding of £23.6 million (£17.2 million of which was capital and £6.4 million revenue) over a 5 year period from 2005 to maintain services on these lines at their present levels and to prevent deterioration. Details of this expenditure programme are provided below.

	2005/06	2006/07	2007/08	2008/09	2009/10	Total
	£'000	£'000	£'000	£'000	£'000	£'000
Whitehead to Larne Relay	2,159	0	0	0	0	2,159
Fencing to prevent trespassing and vandalism	95	219	315	300	300	1,229
Sea Defences	0	70	23	0	0	93
Bridge work	6	109	252	342	0	709
Ballymena to Derry Track Life Extension	0	84	1,228	3,000	7,719	12,031
Ballymena to Derry - Insulated Joint Work	0	85	0	0	0	85
Train Protection Warning System	0	252	0	0	0	252
Bann Bridge - Coleraine	0	26	220	0	0	246
Sundry minor capital projects	29	18	225	124	0	396
Total Estimated Capital Expenditure	2,289	863	2,263	3,766	8,019	17,200
Total Estimated Revenue Expenditure	1,280	1,280	1,280	1,280	1,280	6,400

The revenue funding of £6.4 million was allocated to enable Translink's in-house maintenance teams to maintain and upkeep track sections of these lines on a day to day basis.

Linen Green Housing Development, Sion Mills

Mr Bresland asked the Minister for Regional Development if he will explain the reasons why Roads Service has permitted the developer of the Linen Green

housing development, Melmount Road, Sion Mills, to create a bend in the main A5 road. (AQW 784/08)

Mr Murphy: My Department's Roads Service officials have advised me that the "bend" at Melmount Road, Sion Mills, is the result of work to provide a new right turning lane to the entrance to the Linen Green development. A right turn lane at the entrance at this location was considered necessary for safety and traffic progression reasons. The proposal, which required widening on one side of the carriageway, was assessed and approved in accordance with Roads Service standards and construction has proceeded accordingly.

Comprehensive Spending Review

Mr Lunn asked the Minister for Regional Development to detail how good relations considerations have been taken into account within his department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 833/08)

Mr Murphy: For each of the Resource spending proposals put forward by the Department as part of the Budget 2007 process a High Level Impact Assessment (HLIA), agreed by the Equality Commission for this process, has been completed. As part of the HLIA process, each spending proposal was reviewed to identify whether it would provide an opportunity to promote good relations between people of different race, religion, political opinion, sexual orientation and persons with a disability and persons without, and to ensure that it did not inadvertently inhibit or damage good relations between any of those groups.

Comprehensive Spending Review

Mr Lunn asked the Minister for Regional Development to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within his department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 834/08)

Mr Murphy: The 'Cost of Division – A Shared Future Strategy' has not yet been published. However the final draft indicates that the cost of division in terms of transport and infrastructure are relatively small.

The report has, therefore, not significantly influenced my department's approach to the Comprehensive Spending Review.

A37 Springwell Climbing Lane

Mr G Robinson asked the Minister for Regional Development, pursuant to his answer to AQW 465/08, to detail the location at which the surplus material from the sister project on the A37 Coleraine to Limavady Road was disposed. (AQW 852/08)

Mr Murphy: My Department's Roads Service has advised me that the A37 Springwell Climbing Lane scheme, completed in 2004, generated approximately 40,000 m³ of surplus material. All of this material was removed to the council tip at Macosquin (about five miles from site) for use as capping material over the dump.

Traffic Calming at Strangford Heights, Newtownards

Mr Hamilton asked the Minister for Regional Development to detail the estimated start date for the construction of traffic calming measures at Strangford Heights, Newtownards. (AQW 858/08)

Mr Murphy: My Department's Roads Service has advised me that the Strangford Heights traffic calming scheme is included in the current two-year programme for Ards.

The consultation period is under way, and subject to no objections being received, it is expected that work will commence early in 2008/09.

Department Underspend

Mr Savage asked the Minister for Regional Development to detail his department's projected underspend for this financial year. (AQW 964/08)

Mr Murphy: My department is not currently projecting an underspend for 2007/08.

SOCIAL DEVELOPMENT

Living Over the Shop Scheme

Mr Beggs asked the Minister for Social Development to give a timescale within which she will announce the additional town centres that have been successful in their applications to the Living Over the Shop Scheme. (AQW 611/08)

The Minister for Social Development (Ms Ritchie): The Northern Ireland Housing Executive initiated the application process in February 2007 and nine submissions had been lodged by the closing date

of 31st July 2007. These applications are currently being evaluated and it is envisaged that up to five out of the nine submissions will be recommended for 2008 Town Centre Living Initiative Area status. Each Council Chief Executive will be advised of the successful applicants following the Housing Executive Board Meeting on 28 November. The 2008 status becomes active on 1st January 2008 for those successful settlements.

Housing Executive

Mr Bresland asked the Minister for Social Development to detail, for each of the last five years, the amount spent by the Northern Ireland Housing Executive on (i) internal improvements; and (ii) external maintenance schemes, for housing stock in each of the 36 areas that comprise the Coleraine Borough Council area. (AQW 643/08)

Ms Ritchie: The information is not readily available in the form requested. I have however set out in the table below expenditure on internal and external improvement schemes to Northern Ireland Housing Executive stock within the administrative area covered by its Coleraine District Office.

	2002/03	2003/04	2004/05	2005/06	2006/07	Total
	£k	£k	£k	£k	£k	£k
Internal Improvements*	2094	3727	3146	3801	4792	17560
External Maintenance**	1349	2125	648	281	1250	5653

Details of the individual schemes funded have been placed in the Library.

* Internal Improvements include heating replacement schemes, kitchen replacement schemes, and multi element improvement schemes.

** External Maintenance relates to external cyclic maintenance schemes, involving painting and general repairs to the exterior fabric of dwellings.

Construction of Houses, Armagh City

Mr Boylan asked the Minister for Social Development if she will confirm that her department is actively supporting the construction of 32 houses and associated single-person dwellings in Armagh city, as proposed by the Housing Executive's southern area management team in Craigavon. (AQW 716/08)

Ms Ritchie: Two schemes at Mullacreevie containing a total of 32 units of general needs accommodation are already included in the published Social Housing Development Programme, as is a scheme of 12 units for the elderly at Ballynahonemore. A need has been identified for 16 units for singles and Housing

Associations are working to identify a suitable site. Sites are also being sought in other areas of the Armagh district where need has been identified by the Northern Ireland Housing Executive.

Child Support Agency

Mr Hamilton asked the Minister for Social Development to detail the latest available figures for money lost through fraud and error by the Child Support Agency in Northern Ireland, compared with the latest available figures for the Child Support Agency in Great Britain. (AQW 721/08)

Ms Ritchie: During 2006/2007, the Northern Ireland Child Support Agency Investigation Service dealt with 620 referrals. The monetary impact of fraud investigations on Child Maintenance Assessments in 2006/2007 was £72,753.20.

In 2006/2007 twelve cases were forwarded to the Director of Public Prosecutions and eight convictions secured.

Comparative data is not available for other United Kingdom regions.

Bonfires

Mr W Clarke asked the Minister for Social Development if she will authorise the Housing Executive to develop a consistent policy in relation to bonfires on its property. (AQW 724/08)

Ms Ritchie: The management of bonfires is an interagency issue with the Northern Ireland Housing Executive working in partnership with the PSNI, Fire Service, Councils and local communities.

The Housing Executive adopts a good relations and community led approach to best manage and reduce the number of bonfires and decrease the cost of reinstating sites. Local bonfire management initiatives are monitored by the Housing Executive which is charged with translating its good relations duties under Section 75 (part 2) and community relations policy into actions on the ground through a partnership approach.

The approach to dealing with bonfires aims to:

- reduce the risk to the environment;
- develop a partnership approach which allows the agencies involved to impact on the bonfire issue in a cohesive manner;
- develop a graduated response to bonfires which involves consultation, shared understanding, negotiation and if necessary proportionate and legal use of enforcement methods; and
- promote a shared, inclusive community celebration.

Social Housing

Mr O'Loan asked the Minister for Social Development what plans she has to provide more social housing in the Ballymena Borough Council area; and to detail (i) the timescale for this; and (ii) the areas in which the increased provision will be located. (AQW 747/08)

Ms Ritchie: During 2008/09, 12 general needs units are planned to go on site at Garvaghy Road, Portglenone. Eighteen general needs units are programmed to go on site in 2009/10 at Tobar Park, Cullybackey. Provision has been made in the programme for 20 general units in Broughshane but a site has yet to be identified and acquired. The programme for 2010/11 – 2011/12 makes provision for a further 58 general needs units but sites have yet to be identified and acquired for some of these.

An interest has been expressed in a portion of the MOD site at St Patrick's Barracks, Ballymena for the development of affordable/social housing units.

In addition to the schemes formally identified within the programme, Housing Associations have registered an interest in a further 12 sites within Ballymena Council area and work is underway to determine the feasibility of developing these sites with a view to acquisition.

Social Housing

Mr O'Loan asked the Minister for Social Development what plans she has to provide more social housing in the Ballymoney Borough Council area; and to detail (i) the timescale for this; and (ii) the areas in which the increased provision will be located. (AQW 749/08)

Ms Ritchie: During 2008/09, 8 general needs units are planned to go on site at Church Road, Rasharkin. The Social Housing Development Programme for 2010/11 – 2011/12 makes provision for a further 27 general needs units but sites have yet to be identified and acquired for some of these.

In addition to the schemes formally identified within the programme, Housing Associations have registered an interest in a further 5 sites within Ballymoney Council area and work is underway to determine the feasibility of developing these sites with a view to acquisition.

Housing Associations are actively seeking sites in areas where housing need has been identified and the Housing Executive is continually reviewing its own land holdings and working with others to try to identify suitable development opportunities.

Social Housing

Mr O'Loan asked the Minister for Social Development what plans she has to provide more social housing in the Moyle District Council area; and to detail (i) the timescale for this; and (ii) the areas in which the increased provision will be located. (AQW 750/08)

Ms Ritchie: During 2007/08 two properties in Ballycastle will be acquired and added to the social housing stock. A further scheme for 10 general needs units is planned for 2008/09. The programme for 2009/10 – 2011/12 makes provision for a further 58 general needs units but sites have yet to be identified and acquired for some of these.

Securing land for housing is a particular issue within some areas of Ballycastle District. Housing Associations are actively seeking sites in areas where housing need has been identified and the Housing Executive is continually reviewing its own land holdings and working with others to try to identify suitable development opportunities.

Homeless in South Down

Mr W Clarke asked the Minister for Social Development to detail the number of people in South Down who are declared homeless. (AQW 1010/08)

Ms Ritchie: The numbers of applicants accepted as statutorily homeless by the Northern Ireland Housing Executive and still appearing on the waiting list at 30 September 2007 for accommodation in the South Down area are as follows:

Downpatrick	358
Banbridge	10
Newry	316
Total	684

Housing Executive Waiting List

Mr W Clarke asked the Minister for Social Development to detail the number of people on the Northern Ireland Housing Executive waiting list, in the South Down area. (AQW 1011/08)

Ms Ritchie: At 31 March 2007 there were 2,449 applicants on the waiting list in the South Down area. Of these 1,463 had more than 30 points and are therefore deemed to be in housing stress.

ASSEMBLY COMMISSION**Wi-Fi Technology**

Mr Shannon asked the Assembly Commission what decisions it has taken regarding the installation of wi-fi technology in Parliament Buildings. (AQW 684/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): In February 2007 the Commission for the Transitional Assembly approved to Award of Contract stage a project to update ageing network equipment in Parliament Buildings. The project was to provide additional network capacity for the Assembly for the next four years, giving enhanced security measures, wireless networking and allowing for future enhancements such as digital telephony and Hansard digital audio. In particular the wireless network facilities were requested by Members and guests in Parliament Buildings including the various political correspondents.

At the NI Assembly Commission meeting of the 9th July 2007 approval was given for the Senior Management Team to continue the procurement process and award of contract on behalf of the Commission during the summer recess. The contract was awarded on the 30th July 2007.

An interim wireless network was installed in Parliament Buildings in the middle of September

2007, to be replaced by the final solution by the end of October 2007.

Electricity Costs in Parliament Buildings

Mr Cree asked the Assembly Commission to detail the amount spent on electricity for Parliament Buildings, in each of the last five years. (AQW 853/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): The following is a breakdown of cost spent on electricity for the last five years:

Year	£
2002/2003	140,367.42
2003/2004	129,353.11
2004/2005	127,564.42
2005/2006	99,624.16
2006/2007	146,547.64
Total	643,456.75

The decrease in cost during the years 2003/2006 was due to the reduction of the number of building users. However the Assembly Commission is actively seeking to reduce their electricity usage as part of their overall energy management. Guidance is issued to building users to remind them of their responsibilities to assist in energy management and recycling.

NORTHERN IRELAND ASSEMBLY

Friday 26 October 2007

Written Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

All-Ireland Parliamentary Forum

Mrs D Kelly asked the Office of the First Minister and deputy First Minister what discussions have taken place in relation to the development of an all-Ireland Parliamentary Forum. (AQW 536/08)

The First Minister and deputy First Minister (Rev Dr Ian Paisley and Mr M McGuinness): At the North South Ministerial Council Plenary in Armagh in July, the Council noted the provisions of the St. Andrews Agreement relating to a North South Parliamentary Forum. The Council recognised that any development of a joint parliamentary forum was a matter for the Northern Ireland Assembly and the Oireachtas.

It was agreed that officials from the two administrations would make contact with the Northern Ireland Assembly and the Houses of the Oireachtas and report back to the NSMC at the earliest opportunity on the prospects for the development of such a forum. Officials in OFMDFM have written to the Clerk of the Northern Ireland Assembly. We have been advised that the Speaker has commissioned some preliminary research into the format of such a Forum and how best it could operate. We understand that he also discussed the development of the Forum with his counterpart in the Oireachtas during his recent visit to Dublin.

Victims' Groups

Mr Moutray asked the Office of the First Minister and deputy First Minister to detail the meetings attended by (i) the First Minister; and (ii) the deputy First Minister, with representatives of victims' groups, since assuming office. (AQW 617/08)

The First and deputy First Minister: Since assuming office on the 8th May 2007, (i) the First Minister has not met representatives of victims' groups in an official capacity. However he has met a number of groups and individuals in a personal capacity in his role as MP and MLA. The deputy First Minister met representatives of the Disabled Police Officers Association on the 21st May.

Equality Legislation

Mr Storey asked the Office of the First Minister and deputy First Minister, pursuant to the answer to AQW 339/08, to explain why it has not contacted other legislatures to investigate how EU Directives on equality have been implemented in other Member States; and to detail whether or not it will now hold such meetings. (AQW 624/08)

The First and deputy First Minister: Each Member State has an obligation to implement European Directives within set time limits and to determine how best to do so in a way which gives effect to the requirements of the Directives and takes account of each Member State's own national legislation.

Given that implementation of Directives is a matter for each Member State, how others comply with Directives, whilst of interest, is not directly pertinent. We do not therefore normally contact other Member States nor do we plan to do so. However, to ensure consistency of approach across the Member State, officials have regular contact with their counterparts in Great Britain.

As equality is a devolved matter, it is the responsibility of this administration to consider how the requirements of equality Directives impact on Northern Ireland and to bring forward legislation specific to Northern Ireland to implement those Directives.

Policy consideration on the appropriate transposition of EU Directives into domestic law includes consideration of the degree of flexibility available to the Member State and the devolved administration. In doing so we are also required to meet our statutory equality obligations and comply with the Human Rights Act 1998.

If the Member State does not fully implement a directive within a specified timeframe it is likely that the EU will commence infraction proceedings which usually take the form of daily fines until full implementation is achieved. The Member State therefore has limited discretion in the implementation of directives.

Equality Legislation

Mr Storey asked the Office of the First Minister and deputy First Minister, pursuant to the answer to AQW 339/08, to detail how it will ensure that EU Directives on equality will be implemented to cater for Northern Ireland's particular local situation, in the absence of evidence of how other regions have implemented such Directives to best suit their local needs. (AQW 626/08)

The First and deputy First Minister: Each Member State has an obligation to implement European Directives within set time limits and to determine how best to do so in a way which gives effect to the requirements of the Directives and takes account of each Member State's own national legislation.

Given that implementation of Directives is a matter for each Member State, how others comply with Directives, whilst of interest, is not directly pertinent. We do not therefore normally contact other Member States nor do we plan to do so. However, to ensure consistency of approach across the Member State, officials have regular contact with their counterparts in Great Britain.

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If the Member State does not fully implement a directive within a specified timeframe it is likely that the EU will commence infraction proceedings which usually take the form of daily fines until full implementation is achieved. The Member State therefore has limited discretion in the implementation of directives.

Equality Legislation

Mr Storey asked the Office of the First Minister and deputy First Minister, pursuant to the answer to AQW 339/08, to detail whether or not, as part of the department's ongoing contact with counterparts in Great Britain and the Republic of Ireland, it will also establish contact with other regions of the European Union, in order to gather information from all sources to investigate the degree of flexibility available when bringing forward equality proposals, with a view to protecting (i) freedom of speech; (ii) the right to

protest; and (iii) defining and implementing harassment provisions, so as to grant greater exemptions for people of religious conviction. (AQW 631/08)

The First and deputy First Minister: Each Member State has an obligation to implement European Directives within set time limits and to determine how best to do so in a way which gives effect to the requirements of the Directives and takes account of each Member State's own national legislation.

Given that implementation of Directives is a matter for each Member State, how others comply with Directives, whilst of interest, is not directly pertinent. We do not therefore normally contact other Member States nor do we plan to do so. However, to ensure consistency of approach across the Member State, officials have regular contact with their counterparts in Great Britain.

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If the Member State does not fully implement a directive within a specified timeframe it is likely that the EU will commence infraction proceedings which usually take the form of daily fines until full implementation is achieved. The Member State therefore has limited discretion in the implementation of directives.

Staff Team Building

Mr Moutray asked the Office of the First Minister and deputy First Minister to detail the total cost of (i) staff away days; and (ii) staff team building exercises, in each of the last three years. (AQW 808/08)

The First and deputy First Minister: The total cost of (i) staff away days; and (ii) staff team building exercises held in the Office of the First Minister and deputy First Minister in each of the last three complete financial years is provided in the table below. The period covered includes 1 April 2004 to 31 March 2005, 1 April 2005 to 31 March 2006 and 1 April 2006 to 31 March 2007. For completeness, information is also provided for the current financial year, from 1 April 2007 to 30 September 2007.

Financial Year	Type of Event and Cost of Each	
	Away Days	Team Building Exercises
1 April 2004 to 31 March 2005	£9,890.43	£337.43
1 April 2005 to 31 March 2006	£26,466.61	£3,853.58
1 April 2006 to 31 March 2007	£24,240.00	£45.00
1 April 2007 to 30 September 2007-	£11,485.87	Nil

Comprehensive Spending Review

Mrs Long asked the Office of the First Minister and deputy First Minister to detail how good relations considerations have been taken into account within the department's bid, in relation to the current Northern Ireland Comprehensive Spending Review.

(AQW 821/08)

The First and deputy First Minister: The good relations impacts have been assessed and taken into account in the advice and recommendations provided to Ministers on the OFMDFM bid relating to the Northern Ireland Comprehensive Spending Review. The equality, poverty/social inclusion, and sustainable development impacts of these financial proposals have also been considered. The completion and consideration of these "High Level Impact Assessments" is a fundamental aspect of the Comprehensive Spending Review and Priorities and Budget 2007 processes.

Planning Appeals

Mr Wells asked the Office of the First Minister and deputy First Minister to detail the number of appeals lodged with the Planning Appeals Commission, since 1 April 2007.

(AQW 904/08)

The First and deputy First Minister: The Planning Appeals Commission is a statutory appellate body established under Article 110 of the Planning (Northern Ireland) Order 1991 to decide a wide range of appeals against decisions of the Department of the Environment's Planning Service and to report on various matters under planning and other legislation.

Given the independent tribunal status of the Commission, we have asked the Chief Commissioner to provide a response directly to you. We understand the Chief Administrative Officer, of the Commission has responded to you in the following terms:

"The total number of appeals received by the Commission since the 1 April 2007 and up to the 30

September 2007 is 1035. As of the 30 September 2007 the Commission has a total of 3108 appeals for determination.

I enclose a copy of our latest statistical information which is updated and downloaded to the publication page of our website www.pacni.gov.uk at the start of each month.

I would be happy to provide any further information you require arising out of this response or to meet with you to discuss the matter if that would be more suitable."

Planning Appeals Commission

Mr Wells asked the Office of the First Minister and deputy First Minister to detail the number of appeals currently being considered by the Planning Appeals Commission.

(AQW 906/08)

The First and deputy First Minister: The Planning Appeals Commission is a statutory appellate body established under Article 110 of the Planning (Northern Ireland) Order 1991 to decide a wide range of appeals against decisions of the Department of the Environment's Planning Service and to report on various matters under planning and other legislation.

Given the independent tribunal status of the Commission, we have asked the Chief Commissioner to provide a response directly to you. We understand the Chief Administrative Officer has responded to you in the following terms:

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I would be happy to provide any further information you require arising out of this response or to meet with you to discuss the matter if that would be more suitable."

Commissioned Report

Mr Ford asked the Office of the First Minister and deputy First Minister, pursuant to the answer to AQO 379/08, to give a definition of the term 'a private report'; to detail the number of such reports that were (i) commissioned; and (ii) received by the department, during the periods 1 January 2006 to 7 May 2007; and since 8 May 2007; and to detail the other kinds of reports commissioned by the department.

(AQW 911/08)

The First and deputy First Minister: The term private report was made in the reference to the Deloitte Touche report on “The Cost of Division – A Shared Future Strategy”. This phrase means that it was a report completed not within OFMDFM but from an external source. This report was commissioned by the previous administration in March 2006 and was conducted and finalised during direct rule and is an independent piece of research.

The following table provides information on the number of such reports commissioned and received by the Department, during the periods 1 January 2006 to 7 May 2007 and since 8 May 2007 to 30 September 2007. The total numbers stated for reports that were commissioned and received do not correlate because reports that were commissioned in one period may not have been received until a later period or not received to date. No other kinds of reports were commissioned by the Department.

REPORTS COMMISSIONED AND RECEIVED BY OFMDFM

	1 January 2006 to 7 May 2007		8 May 2007 to 30 September 2007	
	Commis- sioned	Received	Commis- sioned	Received
Number of Reports	19	18	5	7

Budget Underspend

Mr Savage asked the Office of the First Minister and deputy First Minister to detail the department’s projected underspend for this financial year.
(AQW 965/08)

The First and deputy First Minister: On the basis of outturn for the six-month period ended 30 September 2007, OFMDFM is not projecting any underspend for this financial year.

Integrated Development Fund

Mr Adams asked the Office of the First Minister and deputy First Minister if it will reaffirm the support for, and safeguarding of, resource funding pledged to projects in west Belfast and greater Shankill, through the pilot Integrated Development Fund.
(AQW 1063/08)

The First and deputy First Minister: Under the current arrangements, all outline pilot projects supported by the Integrated Development Fund (IDF), will have an entitlement to funding of the amount previously agreed by Ministers, subject to the provision

and approval of the required economic appraisals for the respective projects.

Any further funding applications for individual projects, above the agreed amount or beyond the specified timescales, will be a matter for relevant lead Departments. Departments will consider such applications on the basis of their competing priorities and available resources.

Public Service Agreements

Ms S Ramsey asked the Office of the First Minister and deputy First Minister if they will confirm that children will be identified as a priority under target setting in the current round of Public Service Agreements, specifically in relation to (i) the Office of the First Minister and deputy First Minister; (ii) the Department of Culture, Arts and Leisure; (iii) the Department for Employment and Learning; and (iv) the Department of Health, Social Services and Public Safety.
(AQW 1068/08)

The First and deputy First Minister: The Executive is determined to seize this opportunity to deliver a better future for all our people. In support of this, work has been ongoing to develop our first Programme for Government which will set out our strategic priorities for the next three years. The Programme for Government will be supported by a framework of Public Service Agreements (PSAs) which will confirm the key actions we will take in support of our priorities, and the outcomes and targets we aim to achieve.

Our approach to developing PSAs has been directed by a focus on the key cross-cutting issues and challenges we face rather than along departmental structures as was previously the case. This will help ensure a more co-ordinated response across Government to the key issues and outcomes to which we are committed. Within that framework, improving the outcomes and life chances for children will continue to be a key objective for the Executive.

Executive Committee Meeting

Mr McNarry asked the Office of the First Minister and deputy First Minister to detail the process by which the minute of the Executive Committee meeting held on 8 October 2007 was drafted, circulated for comment and approved.
(AQW 1147/08)

The First and deputy First Minister: The minutes of the meeting of the Executive which took place on 8 October 2007 were prepared in the normal manner. An Executive Secretariat official who attended the meeting took notes of the proceedings and prepared a

set of draft minutes. With the approval of the Secretary to the Executive these were passed to us for consideration and approval to issue. The draft minutes were subsequently issued to Executive Ministers on 17 October 2007 for consideration at the meeting the following day. At that meeting, the draft minutes were approved by the Executive without amendment.

Links With Scotland

Mr Spratt asked the Office of the First Minister and deputy First Minister to give its assessment of maintaining links with Scotland for the mutual benefit of both countries; and what steps it is taking to encourage all Northern Ireland departments to co-operate, where possible, with their Scottish counterparts.

(AQO 493/08)

The First and deputy First Minister: We recognise the strong historical bond that exists between our countries and the importance of maintaining close links with Scotland for our mutual benefit.

In June, we signed an agreement with the Scottish First Minister, Alex Salmond, to work closely together and to consolidate and strengthen the social, educational and cultural relationship between our two countries.

Departments are taking forward work on strengthening links with Scotland across a range of sectors of mutual interest and through the work of the British Irish Council.

Co-operation is also ongoing at Executive level. We had the opportunity to meet Alex Salmond during our recent visit to the US and there have been a series of meetings between Executive Ministers and their Scottish counterparts on a range of issues including, Tourism, economic co-operation, fisheries, environment, higher education, culture, arts and leisure.

Meetings with Ministerial Counterparts

Mr Burnside asked the Office of the First Minister and deputy First Minister to detail the number of meetings that it has had with Ministers of the Government of the Republic of Ireland; and to detail the number of meetings that it has had with Ministers of the United Kingdom Government, the Scottish Executive and the Welsh Assembly.

(AQO 516/08)

The First and deputy First Minister: Since 8 May this year, Ministers in the Office of the First Minister and deputy First Minister have attended 3 meetings with Ministers of the Southern Government, one of which was the NSMC Plenary meeting in Armagh on 17 July; 6 meetings with UK Government Ministers, of which 3 were with the Secretary of State; and 3 meetings with the Scottish First Minister.

We hosted the British Irish Council Summit in Belfast in July which was attended by Ministers of each of the participating administrations. We also had separate discussions with the British Prime Minister during the Summit.

Ministers also participated in 2 Joint Ministerial Committee meetings on Europe, which were attended by UK Government Ministers and Ministers from the Scottish Government and Welsh Executive

Public Appointments

Mr McCarthy asked the Office of the First Minister and deputy First Minister to give its assessment of the effectiveness of the appointments process as detailed in its publication, 'A Guide to Public Appointments in Northern Ireland', in meeting the needs of the general public.

(AQO 562/08)

The First and deputy First Minister: In the interests of openness and transparency, responsibility for ensuring the effectiveness of the public appointments process is delegated to an independent statutory Commissioner for Public Appointments.

The Commissioner publishes a Code of Practice and audits departmental public appointment processes to establish whether the Code of Practice is being observed. The Commissioner has the power to investigate complaints.

The Commissioner also publishes an annual report which is available to the public that provides information on the observance by departments of the Code of Practice, an account of the outcome of the audit process and any complaints investigated.

The procedures set out in the Commissioner's Code of Practice are underpinned by the principles of selection based on merit, independent scrutiny in the selection process, equality of opportunity and a process that is open and transparent.

In 2005 the Department published a guide to public appointments to raise awareness of public appointment opportunities; explain how the public appointment process works in practice; and to help people engage with the process to the best of their ability.

A Shared Future and Racial Equality Strategy

Mrs M Bradley asked the Office of the First Minister and deputy First Minister what budget is being sought, in order to resource 'A Shared Future and Racial Equality Strategy'.

(AQO 590/08)

The First and deputy First Minister: The department currently spends in the region of £25m to

support good relations including good race relations activities. This includes approximately £17m under the Special European Programme, Measure 2.1 for Peace and Reconciliation.

We are unable to provide any details of the bid for future resources until the outcome of the Comprehensive Spending Review Budget and Priorities 2007 exercise is made known.

Northern Ireland Bureau in Washington

Mr Cree asked the Office of the First Minister and deputy First Minister what plans it has to expand the Northern Ireland Bureau in Washington, following the success of the recent Smithsonian exhibition.

(AQO 538/08)

The First and deputy First Minister: The Northern Ireland Bureau's strategy over the last four years has pro actively developed networks and contacts in other regions in the United States. Recent Ministerial visits, including those during the Smithsonian Festival, have convinced us of the need to further develop these networks and this may lead to an expanded role for the Bureau, particularly in New York and Boston.

The feasibility of any possible expansion will be investigated by the new Director of the Bureau when he takes up post in November 2007.

Sustainable Development Strategy

Mr Gardiner asked the Office of the First Minister and deputy First Minister to give its assessment of whether or not the Sustainable Development Strategy target to obtain 40% of all electricity consumed in Northern Ireland from indigenous renewable energy sources, beyond 2025, will be achieved. (AQO 537/08)

The First and deputy First Minister: The Office of the First Minister and deputy First Minister has lead policy responsibility for Sustainable Development and we are fully committed to promoting a strong, stable and sustainable economy with a strong healthy and just society while at the same time maintaining and improving our natural resources.

Climate change is one of the most severe problems we face today. The Sustainable Development Strategy identified the potential locally to develop renewable energy sources as an important step in reducing greenhouse gas emissions.

Older Persons' Commissioner

Mr K Robinson asked the Office of the First Minister and deputy First Minister to detail the costs

incurred in appointing an independent party to undertake work on behalf of junior Ministers, to review the case for an Older Persons' Commissioner for Northern Ireland. (AQO 536/08)

The First and deputy First Minister: We have committed to carrying out the review for an Older People's Commissioner by December 2007 and work will be undertaken by an independent party. The Office of the First Minister and deputy First Minister will seek quotations through a competitive tendering process, from those seeking to do this work and who are on the Northern Ireland Civil Service Management Consultancy Framework Agreement select list. Until the contract of work has been awarded it will not be possible to provide costs.

Investment Strategy

Mr Dallat asked the Office of the First Minister and deputy First Minister what assessment it has made, and what plans it has to review, the impact of the Investment Strategy for Northern Ireland on equality of opportunity, generally, and on access to job opportunities across Northern Ireland. (AQO 587/08)

The First and deputy First Minister: The Executive is currently developing a new Investment Strategy, which will be published shortly for consultation along with the draft Programme for Government and the draft Budget. A full Equality Impact Assessment is being carried out on the Investment Strategy and the result of this work will be published in tandem with the draft Investment Strategy document.

The substantive infrastructure investment programmes that the Executive will outline in the Investment Strategy have the potential to make impact positively on access to job opportunities across Northern Ireland.

Victims' Commissioner

Mr Cobain asked the Office of the First Minister and deputy First Minister to outline the final stages of the appointment process for the Victims' Commissioner; and to give a timescale within which the successful candidate is likely to take up the post. (AQO 549/08)

The First and deputy First Minister: We would refer the Member to our statement on 8 October in which we stated that we intend to announce the new Commissioner for Victims and Survivors before the end of this year.

Public Appointments

Ms Lo asked the Office of the First Minister and deputy First Minister to give an assessment of the effectiveness of its arrangements for ensuring racial equality in public appointments. (AQO 559/08)

The First and deputy First Minister: The overriding principle of the public appointment process is that selection is based on merit. We are committed to equality in the public appointments process and believe that existing arrangements support this aim.

In the interests of openness and transparency, responsibility for ensuring the effectiveness of the public appointments process is delegated to an independent statutory Commissioner for Public Appointments.

The Commissioner publishes a Code of Practice setting out procedures which are underpinned by the principles of selection based on merit, independent scrutiny in the selection process, equality of opportunity and a process that is open and transparent. The Commissioner's Code of Practice requires Departments to comply with their statutory duty under Section 75 of the Northern Ireland Act 1998 when making Ministerial appointments to public bodies and to have due regard for the need to promote equality of opportunity.

Existing legislation prohibits the selection of candidates on the basis that they are, for example, of a particular religion, gender or race. Decisions about who to appoint must be based solely on skills and abilities and not on factors that could be construed as discriminatory.

We are aware however, that some sections in our society are under represented on the Boards of public bodies and, following the reception we hosted on 9 May 2007, remain committed to recognising and encouraging greater participation by the minority ethnic community.

Victims' Commissioner

Mr A Maginness asked the Office of the First Minister and deputy First Minister what assessment it has made of the appointment of a Victims' Commissioner, with specific reference to whether or not this appointment should be based on merit. (AQO 589/08)

The First and deputy First Minister: All appointments are subject to the public appointments procedures. The Office of the First Minister and deputy First Minister is committed to the principles of public appointments, based on merit with independent assessment, openness and transparency of process.

Attacks on Orange Halls

Mr Bresland asked the Office of the First Minister and deputy First Minister what is its assessment of continued attacks against Orange Halls, including the destruction of an Orange Hall in Strabane; and if it will make a direct representation to the Secretary of State for Northern Ireland on this matter. (AQO 496/08)

The First and deputy First Minister: We totally deplore these acts and condemn utterly those people who carry out such attacks, which are a scourge on our society. We are totally committed to moving society forward to make a real difference to the lives of all our people.

On Tuesday 11 September the Assembly debated the motion: 'that this Assembly condemns all attacks on Orange Halls and calls on all political parties to use their influence to stop such sectarian attacks.'

As responsibility for policing and justice is still a reserved matter, Junior Minister Kelly made an undertaking to the Assembly to forward the report of the debate to the Secretary of State. We wrote to the Secretary of State on the 3rd October and reiterated our strong condemnation of any such attacks and sought his support in doing all that he could to bring all those responsible to justice.

Legislative Programme for 2007/2008

Mr S Wilson asked the Office of the First Minister and deputy First Minister to give a timescale within which it intends to publish the legislative programme for 2007/2008; and to detail the number of pieces of legislation on this programme. (AQO 494/08)

The First and deputy First Minister: We wrote to the Speaker on 19 October on behalf of the Executive to set out its Legislative Programme for the 2007-2008 session of the Assembly. Including the three Bills which were introduced to the Assembly before the Summer Recess and which are currently before Committee, we anticipate that 18 Bills will be progressed during this session.

Victims' Commissioner

Mr O'Loan asked the Office of the First Minister and deputy First Minister to outline why it did not consider any of the existing candidates for the position of Victims' Commissioner to be suitable for appointment. (AQO 543/08)

The First and deputy First Minister: The people who were deemed appointable under the direct rule process can, if they so wish, have their names carried forward into the newly extended process. They won't

have to reapply, will not be re-interviewed, and will be considered along with any further applicants who are deemed appointable.

Maze Site Development

Mrs D Kelly asked the Office of the First Minister and deputy First Minister if it will outline a timetable for a decision to be made on the future of the Maze site. (AQO 593/08)

The First and deputy First Minister: A decision on the proposed development of the Maze/Long Kesh site will be made following receipt of the business case, which is currently being finalised. Following detailed examination of the value for money case and assessment of affordability the development proposal will be brought to the Executive for formal consideration.

AGRICULTURE AND RURAL DEVELOPMENT

Comprehensive Spending Review

Mrs Long asked the Minister of Agriculture and Rural Development to detail how good relations considerations have been taken into account within her department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 822/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): The Department of Agriculture and Rural Development (DARD) has complied with all the good relations procedures required by OFMDFM and DFP in respect the Department's Comprehensive Spending Review proposals. These procedures are in line with Section 75 requirements and A Shared Future policy. The Department's compliance has been achieved through the completion of High Level Impact Assessments for all bids submitted to DFP.

Comprehensive Spending Review

Mrs Long asked the Minister of Agriculture and Rural Development to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within her department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 823/08)

Ms Gildernew: The Department of Agriculture and Rural Development (DARD) has taken account of

the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' by following the good relations procedures required by OFMDFM and DFP in respect the Department's Comprehensive Spending Review proposals. These procedures are in line with Section 75 requirements and A Shared Future policy. The Department's compliance has been achieved through the completion of High Level Impact Assessments in relation to DARD's proposals.

National Ploughing Championships

Mr T Clarke asked the Minister of Agriculture and Rural Development to detail (i) the number of departmental representatives who attended the National Ploughing Championships in Tullamore in the Republic of Ireland, in their official capacity; (ii) the total cost to her department of their attendance; and (iii) what is her assessment of the benefit of this to the farming community in Northern Ireland. (AQW 895/08)

- (i) **Ms Gildernew:** A total of 21 DARD officials attended the ROI National Ploughing Championships, which was a 3 day event. Officials manned the DARD exhibition stand. On average, 7 DARD officials manned the stand each day.
- (ii) The total cost to DARD was £27,459 (£20,601 for staff and £6,858 for exhibition build).
- (iii) The DARD exhibition at the ROI National Ploughing Championships, which also included an Agri-Food and Biosciences Institute (AFBI) exhibit (AFBI is a Non-Departmental Public Body of DARD), afforded the opportunity to promote the NI agri-food industry and rural community at Ireland's largest agricultural event. Around 165,000 people attended the event and NI was well represented amongst the large number of visitors and trade exhibitors. The DARD exhibition promoted a wide range of services, which generated awareness amongst a large audience. The exhibition included several businesses that received funding from the NI Rural Development Programme 2000-2006 and these businesses received significant interest in their products.

In addition, DARD/AFBI officials identified potential opportunities for mutual collaboration on an all-island basis, for example animal disease control, fisheries management and rural development, which could bring much benefit to the NI agri-food sector and rural community.

My own attendance provided DARD and the new Executive a firm voice at this major agricultural event. I had the opportunity to speak directly with President McAleese, The Tanaiste – Brian Cowan, my counterpart — Mary Coughlan, The Minister of Community,

Rural and Gaeltacht Affairs — Eamon O’Cuiv, and the Minister of State, Department of Agriculture, Fisheries and Food, Trevor Sargent — on agri-food and rural issues These included, importantly, the current animal disease situation and the approach being taken to prevent the arrival of Foot and Mouth and Bluetongue diseases in the island of Ireland.

Agri-Food and Biosciences Institute

Mr Weir asked the Minister of Agriculture and Rural Development to detail the cost of establishing the Agri-Food and Biosciences Institute; and to provide a detailed breakdown of the expenditure.

(AQW 901/08)

Ms Gildernew: The additional identifiable costs incurred in the lead-up to the establishment the Agri-Food and Biosciences Institute (AFBI) were as follows:

	£’000(rounded)
Change Management Team	60
Change Manager	30
Staff Conference Costs	10
Corporate Publicity	15
Refurbishment of Offices	100
ICT Costs	250
Consultancy	65
Finance System	115
Launch Costs	5
Total	650

No additional resources were made available to DARD in relation to these set up costs for AFBI. These costs were met from within the DARD Resource Consumption budget for 2005/06.

Agri-Food and Biosciences Institute

Mr Weir asked the Minister of Agriculture and Rural Development to detail the projected running costs for the Agri-Food and Biosciences Institute, for each of the next three years.

(AQW 902/08)

Ms Gildernew: The projected net costs to the NI Block for running the Agri-Food and Biosciences Institute (AFBI) for each of the next three years are as follows:

AFBI Running Costs	Projected Expenditure (£million)
2008-2009	32.2

AFBI Running Costs	Projected Expenditure (£million)
2009-2010	31.5
2010-2011	30.3

Budget Underspend

Mr Savage asked the Minister of Agriculture and Rural Development to detail her department’s projected underspend for this financial year.

(AQW 926/08)

Ms Gildernew: As part of the October Public Expenditure Monitoring Review, my Department identified Resource Current pressures totalling £7.2m. At this stage it is therefore anticipated that there will be no underspend in Resource Current expenditure. However, the Resource Current budget will be kept under review during the remainder of the financial year.

My Department has sought DFP approval to roll forward £5.1m of Capital budget from this financial year to 2008/09. In the event that this £5.1m Capital is not removed from the Department’s baseline in this financial year, it will emerge as underspend at the year end. At this stage no other Capital underspend is anticipated. However, the Capital budget will be kept under review during the remainder of the financial year.

Departmental Offices

Mr McGlone asked the Minister of Agriculture and Rural Development what plans she has for her department’s offices across Northern Ireland; to detail the impact that these plans will have on services; and to outline in full any anticipated job losses.

(AQW 977/08)

Ms Gildernew: Currently all DARD frontline services are not available from every DARD office in the North and opening times for these offices vary. I plan to introduce a new way of working called DARD Direct which will help to standardise the service we provide, to improve the efficiency of customer transactions and to provide more choice in how and when transactions are conducted. This would be enabled, in part, by bringing together staff from all the main services, at 10 single locations. To ensure that we continue to provide rural communities with equitable access, these locations would need to be strategically placed across the North.

DARD Direct will involve the main customer facing DARD services including Veterinary Service, Grants & Subsidies Inspection Branch, Countryside Management Branch, CAFRE Development Advisers, Quality Assurance Branch, Rural Connect and Customer

Service Improvement Branch. Regionally based staff from these branches, under this proposal, would be headquartered at one of these 10 locations, so some current offices are likely to close. I am aware of recent media speculation that DARD will make large job cuts solely by closing regional offices through rolling out DARD Direct. It has arisen because consultation on the roll-out proposal has been inaccurately linked to part of the Budget process, where all Departments including DARD will have to make reductions in expenditure on administration and absorb the cost of pay settlements. The fact is that nothing has been decided on this front yet and it is likely that any job reductions which have to be made will fall across most areas of the Department.

In advance of formal consultation, we are canvassing the views of key stakeholders this proposal might affect. No decision has yet been made on the final locations of these offices. Inishkeen House, Enniskillen is the exception because it has already been modified to test the DARD Direct model.

Local Community Fund

Mr Bresland asked the Minister of Agriculture and Rural Development, pursuant to her answer to AQW 302/08, if she will give a timescale within which the review of the Local Community Fund will be completed; and to detail what input Local Strategy Partnerships and community groups will have in relation to the review. (AQW 990/08)

Ms Gildernew: The review of the Local Community Fund is due to be completed in early 2008. Intermediary Funding Bodies responsible for the delivery of the Programme, including Local Strategy Partnerships, and community groups will be consulted during the review process.

CULTURE, ARTS AND LEISURE

Maritime Museum

Mr K Robinson asked the Minister of Culture, Arts and Leisure if he will investigate the potential for a maritime museum, adjacent to the recently announced Titanic project; and the potential for developing such a project based on the unique vessels that are already in local waters. (AQW 758/08)

The Minister of Culture, Arts and Leisure (Mr Poots): The Department of Culture, Arts and Leisure, through the National Museums Northern Ireland will give priority consideration to the development of a

Maritime Museum. Naturally options for locations will include the Titanic Quarter.

Arts Council Funding

Mr I McCrea asked the Minister of Culture, Arts and Leisure to provide a breakdown of funding given by the Arts Council of Northern Ireland to each district council, in each of the last three years. (AQW 887/08)

Mr Poots: A breakdown of funding given by the Arts Council of Northern Ireland to each district council in each of the last three years is shown in the attached table.

SOURCES OF FUNDING INCLUDE EXCHEQUER, LOTTERY AND RE-IMAGING COMMUNITIES PROGRAMMES.

Council area	2004/05	2005/06	2006/07	Total
Antrim	222,732	84,000	0	306,732
Ards	0	0	11,840	11,840
Armagh	45,000	50,000	140,000	235,000
Ballymena	0	0	0	0
Ballymoney	168,450	0	0	168,450
Banbridge	5,000	30,003	0	35,003
Belfast	538,718	737,369	54,000	1,330,087
Carrickfergus	0	0	16,425	16,425
Castlereagh	5,000	30,003	0	35,003
Coleraine	12,000	36,200	40,600	88,800
Cookstown	65,367	28,000	90,000	183,367
Craigavon	336,681	46,383	66,500	449,564
Derry	180,254	0	18,300	198,554
Down	69,969	68,000	92,250	230,219
Dungannon	0	42,000	10,990	52,990
Fermanagh	470,039	48,000	129,750	647,789
Larne	19,628	0	0	19,628
Limavady	0	0	0	0
Lisburn	66,929	0	50,580	117,509
Magherafelt	0	0	0	0
Moyle	147,215	9,180	0	156,395
Newry and Mourne	0	0	49,820	49,820
Newtownabbey	221,350	0	0	221,350
North Down	198,448	0	22,500	220,948
Omagh	0	57,000	100,000	157,000
Strabane	248,000	0	55,000	303,000
Total	3,020,780	1,266,138	948,555	5,235,473

Budget Underspend

Mr Savage asked the Minister of Culture, Arts and Leisure to detail his department's projected underspend for this financial year. (AQW 925/08)

Mr Poots: The Department has just completed a review of its spending plans and priorities and currently does not project an underspend for this financial year.

Foras na Gaeilge

Mr McCausland asked the Minister of Culture, Arts and Leisure, pursuant to his answer to AQW 232/07, to detail whether or not Foras na Gaeilge has started to translate the minutes of its board meetings into English and to post them on the English language section of its website. (AQW 1002/08)

Mr Poots: The decision to have the minutes of the Foras na Gaeilge Board meetings translated into English and posted on the English language section of their website has not yet been taken by the Board. This will be discussed at the next Board meeting due to be held on 2 November 2007.

Ordnance Survey

Mr Shannon asked the Minister of Culture, Arts and Leisure what steps he is taking to liaise with district councils to ensure that new buildings and dwellings are included on all Ordnance Survey of Northern Ireland maps as soon as possible. (AQW 1008/08)

Mr Poots: Ordnance Survey of Northern Ireland® (OSNI®) has worked with district councils for many years. This includes district councils being users of OSNI's products, and close collaboration in the creation and maintenance of Pointer, the definitive address file for Northern Ireland.

Information on the location of new properties is gathered by OSNI from many sources, and accurate, timely change information is vital for OSNI as it continues to improve the currency of its databases in line with its ministerial targets. District councils provide change information via updates to the Pointer dataset and four district council representatives sit on the Pointer Project Board.

Land & Property Services (LPS) is also working with Building Control sections in district councils to provide timely data to support property valuation. As OSNI prepares to merge into LPS in April 2008, OSNI managers are working with LPS colleagues to consolidate data flows between district councils and LPS/OSNI. This will support the ongoing improvement of LPS datasets, including the up-to-dateness of the mapping database.

Community Arts Projects

Ms Ní Chuilín asked the Minister of Culture, Arts and Leisure to detail what funding arrangements his department has put in place for community arts projects based in North Belfast. (AQW 1048/08)

Mr Poots: Government funding for the arts in Northern Ireland is disbursed through the Arts Council of Northern Ireland. Funding is not ring-fenced for any particular area but must be applied for in competition with other applications. Funding awarded to community arts projects in North Belfast in the last two financial years and in 2007/08 to date is detailed in the attached table.

Bamford Review and Investment for Health Strategies

Ms Ní Chuilín asked the Minister of Culture, Arts and Leisure to detail what arrangements his department has put in place to resource the Bamford Review and Investment for Health Strategies. (AQW 1050/08)

Mr Poots: DCAL recognises the significant role the Arts, Culture and Sport play in supporting people of all ages with mental health and learning disabilities subject to budgetary considerations. DCAL will endeavour to maintain and develop policies and programmes consistent with the Bamford Review and Investment for Health Strategies.

Fisheries Conservancy Board

Mr Shannon asked the Minister of Culture, Arts and Leisure to detail the number of staff employed by the Fisheries Conservancy Board. (AQW 1137/08)

Mr Poots: The Fisheries Conservancy Board currently employs 19 staff consisting of a Chief and Deputy Chief Executive, one support manager, 4 other administrative staff, 11 fisheries officers and a cleaner.

The Department has currently budgeted £464,000 to be paid to the FCB in 2007/2008. This includes payment for bailiffing services carried out by FCB on the Department's Public Angling Estate, the Salmon Management Plan and deficit funding to ensure the FCB remains operationally viable. This budget is likely to increase once FCB functions transfer to the Department to take account of transferred staff and operational costs. These additional costs have been included in the bid to secure additional funding to carry out the FCB functions in the Comprehensive Spending Review.

Provisions to abolish the FCB and transfer its functions to the Department are included in the Draft Public Authorities Reform Bill which will be taken forward by OFMDFM and is included in the Legislative Programme for the 2007/2008 Assembly Session. The timing of the transfer will depend on when this Bill is passed.

Fisheries Conservancy Board

Mr Shannon asked the Minister of Culture, Arts and Leisure to detail the budget currently allocated to the Fisheries Conservancy Board; and whether or not that budget will be increased, with the transfer of interest to his department. (AQW 1139/08)

Mr Poots: The Fisheries Conservancy Board currently employs 19 staff consisting of a Chief and Deputy Chief Executive, one support manager, 4 other administrative staff, 11 fisheries officers and a cleaner.

The Department has currently budgeted £464,000 to be paid to the FCB in 2007/2008. This includes payment for bailiffing services carried out by FCB on the Department's Public Angling Estate, the Salmon Management Plan and deficit funding to ensure the FCB remains operationally viable. This budget is likely to increase once FCB functions transfer to the Department to take account of transferred staff and operational costs. These additional costs have been included in the bid to secure additional funding to carry out the FCB functions in the Comprehensive Spending Review.

Provisions to abolish the FCB and transfer its functions to the Department are included in the Draft Public Authorities Reform Bill which will be taken forward by OFMDFM and is included in the Legislative Programme for the 2007/2008 Assembly Session. The timing of the transfer will depend on when this Bill is passed.

Fisheries Conservancy Board

Mr Shannon asked the Minister of Culture, Arts and Leisure to outline the timescale for the transfer of interest from the Fisheries Conservancy Board to his department. (AQW 1140/08)

Mr Poots: The Fisheries Conservancy Board currently employs 19 staff consisting of a Chief and Deputy Chief Executive, one support manager, 4 other administrative staff, 11 fisheries officers and a cleaner.

The Department has currently budgeted £464,000 to be paid to the FCB in 2007/2008. This includes payment for bailiffing services carried out by FCB on the Department's Public Angling Estate, the Salmon Management Plan and deficit funding to ensure the

FCB remains operationally viable. This budget is likely to increase once FCB functions transfer to the Department to take account of transferred staff and operational costs. These additional costs have been included in the bid to secure additional funding to carry out the FCB functions in the Comprehensive Spending Review.

Provisions to abolish the FCB and transfer its functions to the Department are included in the Draft Public Authorities Reform Bill which will be taken forward by OFMDFM and is included in the Legislative Programme for the 2007/2008 Assembly Session. The timing of the transfer will depend on when this Bill is passed.

EDUCATION

Unoccupied Desks

Mr Simpson asked the Minister of Education to detail the number of unoccupied desks expected in (i) controlled schools; (ii) maintained schools; (iii) integrated schools; and (iv) Irish language schools, in each of the next five years. (AQW 24/08)

The Minister of Education (Ms Ruane): The Department does not have projections for the future level of surplus places in each sector. In the 2006/07 school year there were an estimated 55,100 surplus places in schools in the North of Ireland - 36,600 in primary schools and 18,500 in the post-primary schools. The breakdown of this information by school sector is as follows:

Sector	Estimated Surplus Places in Primary Schools	Estimated Surplus Places in Post-Primary Schools
Controlled	17,200	7,900
Maintained	18,200	9,300
Integrated*	800	300
Irish-Medium	400	0
Voluntary Grammar	not applicable	1,000
Totals	36,600	18,500

* Controlled integrated and grant maintained integrated schools have been grouped together.

Based on the population projections from the Northern Ireland Statistics Research Agency (NISRA) the school-age population is projected to decline by approximately 15,000 in the period 2007 to 2012 as follows:

Year	Projected decrease in the school population in the 5-18 age-range
2007/08	- 4,228
2008/09	- 3,495
2009/10	- 2,433
2010/11	-2,721
2011/12	-2,183

Changes in pupil numbers are not the only factor affecting the numbers of surplus places. Changes to the schools' estate through capital works and as a result of proposals from school authorities for closures or amalgamations also impact on the estimated numbers of surplus places.

Governing Body of the SELB

Mr Spratt asked the Minister of Education to give a timescale within which she intends to restore democratically elected representatives and independent members to the governing body of the South Eastern Education and Library Board. (AQW 355/08)

Ms Ruane: In the interests of local accountability I would be keen that the members of the SEELB Board take up their former responsibilities as soon as possible. However, in the context of the many changes and challenges facing the South Eastern Education and Library Board, it is essential to ensure that there would be no return to the difficulties which the Commissioners inherited when they were appointed in July 2006 and that the stability which has since been achieved is sustained. I am therefore arranging to meet with a cross-section of Board members in the near future to explore their readiness to take up their former responsibilities and to deliver those effectively. That meeting will help inform decisions on how best to move forward.

Newbuild School

Mr Butler asked the Minister of Education to give a timescale within which she will consider the provision of a newbuild school for St Gerard's Educational Resource Centre, Upper Springfield Road, Belfast, taking into account the school's special needs unit. (AQW 575/08)

Ms Ruane: The Department of Education is in the process of arranging a feasibility study with the Council for Catholic Maintained Schools in order to identify site options for the school. The feasibility study is expected to be completed by January 2008. Subject to the conclusions of the feasibility study, an economic

appraisal would be undertaken to examine the best way of addressing the building needs of the school.

Extended Schools Funding

Mr O'Loan asked the Minister of Education if she will explain why St Brigid's Primary School, Ballymena, is not entitled to extended schools funding, despite having a significant number of pupils from the Dunclog area, who were previously entitled to this funding when they attended St Joseph's Primary School, which is now closed. (AQW 639/08)

Ms Ruane: Entitlement to extended school funding does not transfer with pupils. St Brigid's Primary School is not located in a Neighbourhood Renewal Area or a deprived ward and does not have a sufficient percentage of pupils claiming free school meals to qualify for funding.

Centre of Excellence for Autism at Middletown

Mr McCallister asked the Minister of Education, pursuant to her answer to AQW 29/08, to detail the number of responses that were received in December 2002, from the individuals and organisations listed; whether or not views were sought specifically in relation to the proposal for Middletown Centre of Excellence for Autism; and if she will place the letter seeking views and the responses received in the Assembly Library. (AQW 777/08)

Ms Ruane: There were a total of 17 responses from education and health providers in the North. The views were sought specifically in relation to the proposal for the Middletown Centre for Autism. A copy of the letter that issued from this Department in December 2002 and the accompanying Briefing Paper will be placed in the Assembly Library. The consent to the release of individual responses was not sought in 2002 and therefore the summaries of the North's education and health sector responses will be placed in the Assembly Library. A similar letter issued from the Department of Education and Science (DES) Joint Chair of the Steering Group to their education and health providers. It is not for this Department to publish the responses sought by the DES in the South.

School Financial Deficits

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 337/08, to outline the ten largest financial deficits run by schools in Northern Ireland, in each of the last five years. (AQW 797/08)

Ms Ruane: The 10 largest financial deficits in each of the 5 years from 2002/03 to 2006/07 are as follows:

2002/03 £	2003/04 £	2004/05 £	2005/06 £	2006/07 (Provis- ional) £
-788,352	-817,549	-784,714	-563,425	-482,425
-487,853	-628,229	-609,044	-441,331	-447,199
-347,165	-347,741	-372,301	-413,878	-440,538
-291,653	-346,286	-348,023	-343,910	-339,886
-260,270	-294,216	-306,657	-329,297	-337,967
-256,194	-277,119	-302,809	-328,410	-334,198
-228,975	-246,176	-290,639	-289,355	-318,321
-220,475	-242,336	-281,870	-280,297	-315,990
-217,959	-202,279	-275,076	-279,554	-309,936
-215,006	-185,654	-239,125	-247,994	-282,249

The total cost of schools financial deficits in each sector, in each of the last five years is as follows:

Sector	2002/03 £k	2003/04 £k	2004/05 £k	2005/06 £k	2006/07 (Provisional) £k
Controlled	-5,678	-6,531	-8,723	-8,984	-7,067
Maintained	-5,482	-5,898	-7,976	-9,618	-6,626
Irish Medium	-238	-206	-280	-265	-253
Integrated	-78	-124	-161	-207	-217
Voluntary Grammar	-2,051	-1,796	-1,637	-1,872	-2,761

School Financial Deficits

Mr Storey asked the Minister of Education, pursuant to her answer to AQW 337/08, to detail the total cost of financial deficits run by schools in each sector, in each of the last five years. (AQW 798/08)

Ms Ruane: The 10 largest financial deficits in each of the 5 years from 2002/03 to 2006/07 are as follows:

2002/03 £	2003/04 £	2004/05 £	2005/06 £	2006/07 (Provis- ional) £
-788,352	-817,549	-784,714	-563,425	-482,425
-487,853	-628,229	-609,044	-441,331	-447,199
-347,165	-347,741	-372,301	-413,878	-440,538

2002/03 £	2003/04 £	2004/05 £	2005/06 £	2006/07 (Provis- ional) £
-291,653	-346,286	-348,023	-343,910	-339,886
-260,270	-294,216	-306,657	-329,297	-337,967
-256,194	-277,119	-302,809	-328,410	-334,198
-228,975	-246,176	-290,639	-289,355	-318,321
-220,475	-242,336	-281,870	-280,297	-315,990
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Integrated	-78	-124	-161	-207	-217
Voluntary Grammar	-2,051	-1,796	-1,637	-1,872	-2,761

Scientific Explanations of the Origin and Development of Life

Mr Simpson asked the Minister of Education to detail what correspondence she has received in relation to the teaching of scientific explanations of the origin and development of life in science classes, since assuming office. (AQW 811/08)

Ms Ruane: To date I have received 7 letters from the public and 14 Written Assembly Questions on this issue.

Scientific Explanations of the Origin and Development of Life

Mr Simpson asked the Minister of Education to outline the process through which (i) pupils may request that scientific data pointing to explanations for the origin and development of life, other than Darwinian evolution, be made available in science class; and (ii) parents may make such a request on behalf of their children. (AQW 812/08)

Ms Ruane: The Department of Education does not tell teachers how to teach, as that is a matter for their professional judgement. Issues regarding a school's teaching should be raised in the first instance through representation to the Board of Governors. It is important to bear in mind that, whilst the revised curriculum offers greater opportunities for alternatives to evolutionary views to be explored, this could be in areas such as RE.

Comprehensive Spending Review

Mr McCarthy asked the Minister of Education to detail how good relations considerations have been taken into account within her department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 826/08)

Ms Ruane: As part of the current Budget 2007 process, Departments were obliged to undertake high level impact assessments in respect of each bid submitted to the Department of Finance and Personnel.

The purpose of these high level impact assessments was to ascertain the equality and good relations implications for each funding proposal submitted and assessments were undertaken in accordance with Section 75 (1) and (2) of the Northern Ireland Act 1998. The Equality Commission for Northern Ireland also produced a briefing paper for Departments on the importance of mainstreaming equality and good relations considerations into the Comprehensive Spending Review and Priorities and Budget, and this paper was also used to inform the development of my Department's bids.

Comprehensive Spending Review

Mr Neeson asked the Minister of Education to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within her department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 827/08)

Ms Ruane: I understand that this report was a piece of independent research which was commissioned by the previous administration. It represents the views of Deloitte Touche and was not taken into account in my department's approach to the Budget 2007 process.

Glastry College

Mr Shannon asked the Minister of Education what steps she will take to ensure that mobile classrooms in Glastry College are maintained to the highest standard, whilst the new school is being built.[R] (AQW 882/08)

Ms Ruane: The upkeep and repair of mobiles at controlled and maintained schools is the responsibility of Education and Library Boards. Funding for this is met from the Boards' recurrent budgets.

In the case of Glastry College the South Eastern Education and Library Board has responsibility for maintaining the mobile classrooms until such time as the new school is built. In doing so they must work within budget limits and ensure that any expenditure on mobiles during this period represents value for money.

Glastry College

Mr Shannon asked the Minister of Education to detail the funding her department will make available to Glastry College to assist with the maintenance of mobile classrooms, whilst the new school is being built.[R] (AQW 883/08)

Ms Ruane: The upkeep and repair of mobiles at controlled and maintained schools is the responsibility of Education and Library Boards. Funding for this is met from the Boards' recurrent budgets.

In the case of Glastry College the South Eastern Education and Library Board has responsibility for maintaining the mobile classrooms until such time as the new school is built. In doing so they must work within budget limits and ensure that any expenditure on mobiles during this period represents value for money.

Classroom Assistants

Mr B McCrea asked the Minister of Education to detail the criteria used to determine which classroom assistants should be graded as classroom assistants (additional special needs). (AQW 941/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education to detail the percentage of classroom assistants employed

in special schools, who will be graded as classroom assistants (additional special needs). (AQW 942/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education what plans she has to encourage all classroom assistants to consider training to NVQ Level III, and to provide funding to cover the cost of such courses.

(AQW 943/08)

Ms Ruane: As Educational Bodies, the Department of Education and the Education and Library Boards always encourage their staff to consider their own development needs and to avail of opportunities to achieve their own potential.

Classroom Assistants

Mr B McCrea asked the Minister of Education to detail the precise number of classroom assistants that will be budgeted for, in each of the three grades.

(AQW 944/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education if she will confirm that classroom assistants currently working 32.5 hours per week will be considered as full-time employees, despite the change to the 36 hour divisor;

and that no reduction in hours will be enforced.

(AQW 945/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education if she will undertake to examine the difficulties for classroom assistants who are attached to a specific child on a short-term contract, with regard to payment protection.

(AQW 949/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education if she will confirm that between 30% and 50% of classroom assistants will see an increase in their hourly rate of pay, under the proposed pay settlement. (AQW 950/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education to explain the reasons why classroom assistants must be evaluated on the basis of a 36 hour week, despite the fact that it is impossible for them to work more than 32.5 hours per week; and if she will undertake to remedy this situation as soon as possible.

(AQW 951/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr B McCrea asked the Minister of Education if she will provide a detailed example of the back pay owed to a classroom assistant working in a special needs school with SEN allowance, currently on SCP 15, and having been in full-time employment for the past 18 years.

(AQW 955/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Access Audits

Mr Simpson asked the Minister of Education, pursuant to AQW 327/08, to indicate when the access audit of each school will be completed. (AQW 959/08)

Ms Ruane: The Department has a programme to carry out access audits in every school. At the present time over 700 audits have been completed. It is the intention of the Department to have all schools in the estate audited by the end of March 2009.

Entitlement Framework

Mr Simpson asked the Minister of Education, pursuant to AQW 191/08, to outline what vocational courses will be guaranteed under the entitlement framework. (AQW 960/08)

Ms Ruane: Under the Entitlement Framework all pupils will be guaranteed access to a greater range of applied (vocational) courses and it will be for individual schools to decide which courses to offer their pupils, based on an assessment of their pupils' needs as well as discussions with other schools, other providers and employers. The courses (both general and applied) which can contribute to a school's curricular offer under the requirements of the Entitlement Framework are listed in the Approval of Qualifications circular issued by the Department of Education (DE) which is updated on a continual basis.

In terms of raising of standards, we will continue to use assessment and other information on school performance along with inspection to promote and raise the highest possible educational standards of teaching, learning and achievement throughout the education and training sectors and the forthcoming school improvement policy will include a particular focus on the use of both performance data and inspection findings to improve performance.

Measuring the success of our school systems over a longer period and in wider economic terms will always present challenges. However, we know from employers the importance of ensuring that our young people leave compulsory schooling with the highest possible standards of literacy and numeracy, with qualifications that are relevant to the economy here and with the lifeskills needed to succeed in the world of work and in wider society. That is why we are committed to bringing forward strategies on school improvement, on literacy and numeracy and, in conjunction with the Department for Employment and Learning, on careers advice, information, education and guidance to support the focus that the revised curriculum already has on delivering balanced, relevant learning opportunities for all our young people.

Educational Standards

Mr Simpson asked the Minister of Education, pursuant to AQW 191/08, what action she is taking to

ensure that educational standards are raised to so that young people have the necessary skills to progress into employment. (AQW 966/08)

Ms Ruane: Under the Entitlement Framework all pupils will be guaranteed access to a greater range of applied (vocational) courses and it will be for individual schools to decide which courses to offer their pupils, based on an assessment of their pupils' needs as well as discussions with other schools, other providers and employers. The courses (both general and applied) which can contribute to a school's curricular offer under the requirements of the Entitlement Framework are listed in the Approval of Qualifications circular issued by the Department of Education (DE) which is updated on a continual basis.

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Educational Standards

Mr Simpson asked the Minister of Education, pursuant to her answer to AQW 191/08, to detail the means through which her department will measure the success of the contribution made by increased educational standards and improved skills against the long-term economic success of Northern Ireland.

(AQW 967/08)

Ms Ruane: Under the Entitlement Framework all pupils will be guaranteed access to a greater range of applied (vocational) courses and it will be for individual schools to decide which courses to offer their pupils, based on an assessment of their pupils' needs as well

as discussions with other schools, other providers and employers. The courses (both general and applied) which can contribute to a school's curricular offer under the requirements of the Entitlement Framework are listed in the Approval of Qualifications circular issued by the Department of Education (DE) which is updated on a continual basis.

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Educational Standards

Mr Simpson asked the Minister of Education, pursuant to AQW 191/08, what plans she has to measure the success of her department's efforts to raise educational standards and ensure that young people have the necessary skills to progress into employment.

(AQW 968/08)

Ms Ruane: Under the Entitlement Framework all pupils will be guaranteed access to a greater range of applied (vocational) courses and it will be for individual schools to decide which courses to offer their pupils, based on an assessment of their pupils' needs as well as discussions with other schools, other providers and employers. The courses (both general and applied) which can contribute to a school's curricular offer under the requirements of the Entitlement Framework are listed in the Approval of Qualifications circular issued by the Department of Education (DE) which is updated on a continual basis.

In terms of raising of standards, we will continue to use assessment and other information on school

performance along with inspection to promote and raise the highest possible educational standards of teaching, learning and achievement throughout the education and training sectors and the forthcoming school improvement policy will include a particular focus on the use of both performance data and inspection findings to improve performance.

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Bullying

Mr O'Loan asked the Minister of Education to detail her department's strategy to prevent bullying, whilst children are travelling to and from, and attending, secondary school. (AQW 972/08)

Ms Ruane: All grant-aided schools are required, by law, to have measures in place to address all forms of bullying among pupils as part of their discipline policy. The Department has issued guidance to schools on this; however, it is for each school to decide, taking account of its own ethos and circumstances, what behaviours and situations will be covered by its policy.

When developing a policy, a school community must decide on its position in respect of pupil behaviour off site and out of school hours, for example while travelling to and from school. The school's position should be clearly set out in the discipline policy and the entire school community, including pupils, parents and staff, should be fully aware of it and its implications.

Astroturf Facilities at Limavady Grammar School

Mr G Robinson asked the Minister of Education if she will undertake, as a matter of urgency, to resolve the problems surrounding the after-school use of the new Astroturf facilities at Limavady Grammar School. (AQW 980/08)

Ms Ruane: I understand that the Western Education & Library Board has instructed its legal advisors to prepare a draft agreement between the Board and Limavady Borough Council for the community use of the new pitch. Until the terms and conditions, including insurance arrangements, have been agreed between the Board and the Council, the Board is unable to allow community use of the facility. The WELB is working to ensure that community use happens as soon as possible and in line with statutory requirements.

Review of Public Administration and the Education and Skills Authority

Mr Savage asked the Minister of Education to detail whether or not her department carried out a risk assessment prior to the implementation of the recommendations of the Review of Public Administration, and the establishment of the Education and Skills Authority. (AQW 994/08)

Ms Ruane: Risk Assessment is an integral part of the management of the RPA Programme in Education. In my Department a RPA Programme Management Board (PMB) which was established in December 2005, oversees both the Department of Education and the Education and Skills Authority Implementation Team (ESAIT) elements of the overall programme. The PMB is supported by a Programme Management Office (PMO) which is accountable to the PMB and provides it with assurances on the overall programme.

Education and Skills Authority

Mr Savage asked the Minister of Education to detail the number of individuals involved in the risk assessment in relation to the establishment of the Education and Skills Authority; and the costs associated with (i) salaries; (ii) travel/subsistence; and (iii) the secretariat. (AQW 995/08)

Ms Ruane: Risk assessment is an integral part of the management of the RPA Programme in education and indeed the work of my Department in general. It is therefore not possible to specifically quantify the numbers of individuals involved and the costs associated with risk assessment in relation to the programme.

Classroom Assistants

Mr Hilditch asked the Minister of Education to explain what will happen when the pay protection for classroom assistants concludes at the end of the review period. (AQW 1016/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr Hilditch asked the Minister of Education to detail whether the 36 hour divisor for classroom assistants was agreed upon during or after their job evaluation. (AQW 1017/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr Hilditch asked the Minister of Education to detail the number of classroom assistants who will be offered a 36 hour week in their contracts. (AQW 1018/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Classroom Assistants

Mr Hilditch asked the Minister of Education to detail what criteria she is using to evaluate the jobs of classroom assistants. (AQW 1019/08)

Ms Ruane: Following intensive talks that were facilitated by the Labour Relations Agency over the weekend of 13 and 14 October, the employers and the unions have agreed to hold further negotiations during the rest of October. The terms of the proposed offer are primarily a matter for the employers and the unions and it would not be appropriate or helpful for me to comment on the possible outworkings of the proposed offer whilst talks remain at such an advanced stage.

I hope however that the recent progress that has been achieved will lead to an agreed settlement being reached in the very near future.

Education and Skills Authority

Mr Savage asked the Minister of Education to detail the amount of money allocated in order to establish the Education and Skills Authority by 31 March 2008. (AQW 1052/08)

Ms Ruane: The Education and Skills Authority (ESA) is to be established by 1 April 2009 at the latest rather than 31 March 2008. Funding to establish ESA will be considered in the course of the Budget 2007 process, the outcome of which has yet to be determined.

Available Year Eight Places

Mr Easton asked the Minister of Education to detail the number of year eight places available in (i) Strangford College; (ii) Movilla High School; (iii) Regent House; (iv) Donaghadee High School; and (v) Glastray College. (AQW 1070/08)

Ms Ruane: The number of year eight places approved at each of the schools (their admissions number) for the 2007/08 school year is as follows:

Strangford College	80
Movilla High	180
Regent House	210
Donaghadee High	76
Glastry College	110

Academic Best Practice

Rev Dr Robert Coulter asked the Minister of Education what plans she has to disseminate the

academic best practice of the leading grammar schools in Northern Ireland to secondary schools, so that overall school performance can be enhanced. (AQO 406/08)

Ms Ruane: Best practice, academic and non-academic, is not confined to grammar schools. Very many schools can point to good practice and all are encouraged to develop further that good practice, to disseminate it within their own school and to share examples with other schools. This is an area which I am keen to develop and am considering in the context of a new school improvement policy which will be the subject of consultation next month.

EMPLOYMENT AND LEARNING

National Minimum Wage

Mr McClarty asked the Minister for Employment and Learning what discussions he has had with the Secretary of State for Business, Enterprise and Regulatory Reform on reported plans to replace the National Minimum Wage with regional variants. (AQW 787/08)

The Minister for Employment and Learning (Sir Reg Empey): I have had no such discussions on this reserved matter.

Following media reports about the possible introduction of regional variants to the minimum wage, officials from my Department met with officials from the Low Pay Commission (LPC), which reports to the Prime Minister and the Secretary of State for Business, Enterprise and Regulatory Reform. LPC officials confirmed that there were no proposals to replace the National Minimum Wage with regional variants. My officials also spoke to officials from the Department for Business, Enterprise and Regulatory Reform who confirmed that no such proposals were being considered.

You will be aware from the debate on 11 September that, in common with most Members, I am opposed to any move to replace the National Minimum Wage with regional variants. I will be writing to the Secretary of State for Business, Enterprise and Regulatory Reform to enclose a transcript of the Assembly debate and to advise him of the Assembly's concern at this proposal.

Workforce Development Forum

Mr Spratt asked the Minister for Employment and Learning to outline the appointment process for members of the Workforce Development Forum. (AQW 792/08)

Sir Reg Empey: Interim working groups, comprising representatives from employers groups, District Councils and Further Education, were established in each of the new Regional College areas to take forward the formation of local Workforce Development Forums (WDF). The role of the interim groups was to identify a prominent business figure in each of the areas to chair the group, and to seek nominations for WDF members from various interested local bodies.

The six Workforce Development Forums bring together the supply and demand sides of the skills issue at sub-regional levels to identify local skills training needs and to articulate a strategic response to those needs from within existing resources. These are employer-led structures and they invite membership from those whom they deem to be most relevant to the work being undertaken by the Forum. While my Department has sought to encourage a wide representation on each group, we have also tried to allow the WDF to respond to local employers' needs as they perceive them.

Workforce Development Forum

Mr Spratt asked the Minister for Employment and Learning to detail whether or not representatives of bodies from outside Northern Ireland are entitled to sit on a Workforce Development Forum. (AQW 793/08)

Sir Reg Empey: Workforce Development Forums (WDF) are employer-led structures and they invite membership from those whom they deem to be most relevant to the work being undertaken by the Forum. This may include representatives of bodies from outside Northern Ireland, if the local Forum deems that they have something additional to offer to the group's work.

The North West WDF was established in 2006 as a cross border Forum, to include cooperation on skills for the entire region, including north east County Donegal. Representatives from Donegal employers, the County Council, FÁS, and Letterkenny Regional College are members of the North West WDF.

Comprehensive Spending Review

Mr Neeson asked the Minister for Employment and Learning to detail how good relations considerations have been taken into account within his department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 828/08)

Sir Reg Empey: For each spending proposal within the Department of Employment and Learning's Comprehensive Spending Review bids an impact assessment was completed to assess whether it might

impact positively or negatively from both an equality and promotion of good relations aspect. None of the spending proposals were found to have an adverse impact from a good relations standpoint and over half were deemed to have a positive impact.

Comprehensive Spending Review

Mr Neeson asked the Minister for Employment and Learning to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within his department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 829/08)

Sir Reg Empey: Key themes from the Deloitte report, for example on access to higher education and helping people into work and raising the skills of the Northern Ireland workforce, are reflected in the Department's strategic objectives and associated Comprehensive Spending Review spending proposals. The report will continue to provide useful information as DEL seeks to make a leading contribution to support economic growth and prosperity.

Course Fees

Mr Brady asked the Minister for Employment and Learning what is his assessment of recent increases in the fees for citizens over the age of 60 registering for non-vocational college courses in several colleges, including the Southern Regional College; and if he will clarify the interpretation of the Employment Equality (Age) Regulations 2006 in relation to these courses. (AQW 876/08)

Sir Reg Empey: Under the current arrangements between the Department for Employment and Learning and the Further Education sector, it is the responsibility of individual colleges to set the level of fees, including concessionary fees, for the courses they provide. The Department does not interfere in this process. Therefore, the Department is not in a position to make an assessment of the course fees being charged by colleges.

In the past it was common practice for colleges to automatically offer age-based concessionary fees, for example a discount for senior citizens. The interpretation of the Employment Equality (Age) Regulations (Northern Ireland) 2006 (S.R No. 261) being used is that colleges are no longer able to offer concessionary fees to senior citizens on the basis of age alone for any of the courses they provide, including non-vocational courses. However, not all colleges have been adopting this definition, and the Department is asking the FE sector to consider this matter further.

Projected Underspend

Mr Savage asked the Minister for Employment and Learning to detail his department's projected underspend for this financial year. (AQW 924/08)

Sir Reg Empey: The Department fully recognises the importance of Financial Management and has detailed procedures and processes in place to minimise the level of any underspend.

As we are only midway through the current financial year it is not possible to forecast underspends with any degree of precision.

Graduate Jobs

Mr Spratt asked the Minister for Employment and Learning to outline what estimate he has made of the number of graduates employed in non-graduate jobs for each of the last five years. (AQW 939/08)

Sir Reg Empey: The Department does not hold information on the number of graduates employed in non-graduate jobs for each of the last five years. However, research published by the Department in October 2005, investigating the early careers of graduates from Northern Ireland, showed that: -

- approximately 17 per cent of the surveyed 1999 cohort of graduates from NI Higher Education Institutions were employed in non-graduate occupations four years after graduation.
- approximately 13 per cent of the surveyed 1995 cohort of graduates from NI Higher Education Institutions were employed in non-graduate occupations seven years after graduation.

Workers' Educational Association

Mr Shannon asked the Minister for Employment and Learning what steps he is taking to ensure that the Workers' Educational Association can continue to provide supportive funding to organisations such as the Ballybeen Women's Centre. (AQW 1007/08)

Sir Reg Empey: The Department's contract with WEA for the delivery of community based further education will expire in August 2008. Any proposed future arrangements for this type of provision will be considered in consultation with all interested parties, including WEA.

The Department is not aware of the nature and extent of any links between WEA and other voluntary/community organisations.

Further Education Concession Fees

Mr B Wilson asked the Minister for Employment and Learning to detail the changes that have been made to the concession fees for disabled and elderly people and those on benefits, that were previously available to students at the former North Down and Ards Institute; and what is his assessment of whether or not these changes have affected the number of students enrolling on courses this term. (AQW 1058/08)

Sir Reg Empey: As incorporated bodies, further education colleges are responsible for their own curriculum offers and set their own fees policies. It is, therefore, for each individual college to set any fee charges, including concessionary fees, for its further and higher education course provision.

When North Down and Ards Institute merged with East Down and Lisburn Institute to form the South Eastern Regional College (SERC) as part of the recent re-structuring of the FE sector, one of the tasks SERC had to carry out was a rationalisation of the fees policies of the individual colleges that were merging to form a single fees policy for the new college. This would have taken account of factors such as the different concessionary fees offered by the three merging colleges, both in terms of the percentage reduction allowed and the criteria for allowing a concession. As a general principle, SERC, when setting its fees policy, attempts to take account of learners' ability to pay – in this context, SERC is of the view that disability is not, necessarily, an indication of financial hardship.

In addition to the above factors, in the past it was common practice for colleges to offer age-based concessionary fees, for example a discount for senior citizens. However, following the introduction of the Employment Equality (Age) Regulations (Northern Ireland) 2006 (S.R No. 261) on 1st October 2006, colleges are no longer able to offer concessionary fees automatically to senior citizens on the basis of age alone.

However, disabled students and senior citizens could be eligible for concessions based on the other concessionary fees criteria set by SERC such as Income Support, Jobseekers Allowance (Income based), Guaranteed Pension Credit, students holding an income based NHS Exemption Certificate or students on a low income.

Due to the nature of data capture in colleges, it is too early to have information on the level of college enrolments for the 2007/08 academic year. Therefore, it is not possible at this time to assess the number of students enrolling on courses this term.

University Tuition Fees

Mrs I Robinson asked the Minister for Employment and Learning what plans he has, and what investigatory work has been carried out by his department, in relation to the removal of university tuition fees for citizens of Northern Ireland, who are receiving their education at universities in Northern Ireland.

(AQW 1084/08)

Sir Reg Empey: Any change to the current variable tuition fee arrangements must be informed by an independent review to ensure we maintain world class institutions and secure equitable access to universities for all who are able to benefit.

A review of variable tuition fees is planned to take place in FY2008/09. In England, it is proposed to establish an independent Commission reporting to Parliament. As a substantial number of Northern Ireland students study elsewhere in the UK, I have asked my officials to liaise with counterparts in other jurisdictions operating variable fees to ensure that, when we are initiating the Northern Ireland review, we take a consistent approach in terms of scope and independence.

Student Enrolments

Mrs I Robinson asked the Minister for Employment and Learning to detail the number of Northern Ireland citizens enrolled on university courses at institutions in Northern Ireland, in each of the last five years.

(AQW 1085/08)

Sir Reg Empey: I have been advised that the amount spent by each Education and Library Board in the 2005/06 and 2006/07 financial years is:

	BELB £	NEELB £	SEELB £	SELB £	WELB £
2005-06					
Refurbishment of Offices	10,000	71,031	-	5,000	387,218
Travel expenses of Administrative staff	14,000	91,845	34,391	130,000	100,443
Travel expenses of Advisory staff	42,000	157,114	92,127	217,000	237,680

	BELB £	NEELB £	SEELB £	SELB £	WELB £
2006-07					
Refurbishment of Offices	33,000	-	-	28,000	148,334
Travel expenses of Administrative staff	16,000	108,027	35,218	108,000	103,166
Travel expenses of Advisory staff	35,000	144,092	92,693	184,000	222,845

Engineering Degrees

Mr McLaughlin asked the Minister for Employment and Learning what steps he will take to encourage more students to participate in degree courses in the various engineering disciplines, in order to meet the growing demand for people with engineering qualifications. (AQW 1090/08)

Sir Reg Empey: My Department, in conjunction with the Department of Education, has initiated a review of Science, Technology, Engineering and Maths, or STEM, subjects. As part of this, a working group is currently considering a strategy for the further development of STEM subjects in schools and Further Education colleges. The group is considering issues such as teacher supply, a comparative lack of integration amongst the components of STEM and a need to better develop the links between schools, further education and industry, particularly in respect of careers guidance.

SEMTA, the science, engineering and manufacturing technologies Sector Skills Council, has included an Action Point on improving careers promotion and sector attractiveness, in its Sector Skills Agreement Action Plan for Northern Ireland. It is recognised that this can only be achieved through the co-ordination of careers activities, strengthening employer links with the Universities and employer support for careers initiatives.

Northern Ireland Universities are working to complement the work of Government in aiming to increase the number of high quality school-leavers going on to take STEM subjects at university. The Queen's University of Belfast has launched a scholarship scheme – the first of its kind in the United Kingdom – which will help to ensure future economic competitiveness and attract high-quality students. The scheme, for students entering the University in 2008, offers awards of £1,000 to all students achieving three As at A-level who go on to study a STEM subject at Queen's University.

Island-Wide Employment Opportunities

Mr McLaughlin asked the Minister for Employment and Learning if he will undertake to explore, with his counterpart in the Republic of Ireland, the establishment of a joint information programme to provide graduates with details of island-wide employment opportunities, in order to minimise the loss to the economy resulting from graduates seeking employment overseas. (AQW 1091/08)

Sir Reg Empey: My Department's Employment Service and its counterpart FAS already collaborate closely to ensure that job seekers, including graduates, have access to notified job vacancies in both the Republic of Ireland and Northern Ireland. Both

employment services provide links to each others websites thereby making all vacancies accessible throughout Ireland North and South.

In addition, a range of pan-Ireland graduate-specific initiatives exist which are designed to provide access to careers and job opportunities. In the circumstances I am of the view that our graduates are already well served by these facilities

Engineering Students

Mr McLaughlin asked the Minister for Employment and Learning to detail the number of students studying for engineering degrees; and the current number of students who are expected to qualify in each engineering discipline. (AQW 1092/08)

Sir Reg Empey: (a) The number of enrolments on Engineering courses at Northern Ireland Higher Education Institutions in 2005/06 is detailed below:

Level of Study	Total
Postgraduate	545
First Degree	2,180
Other Undergraduate	405
Total	3,130

Source: Higher Education Statistics Agency (HESA)

Notes: Figures have been rounded to the nearest 5 and therefore numbers may not sum to totals.

(b) The Department does not hold information on the number of students who are expected to qualify from particular courses. However, the number of students who qualified from Engineering courses at Northern Ireland Higher Education Institutions in 2005/06 is detailed in the table below:

	Postgraduate	First Degree	Other Undergraduate	Total
General engineering	50	25	30	105
Civil engineering	25	110	0	135
Mechanical engineering	10	100	5	115
Aerospace engineering	5	25	0	25
Electronic & electrical engineering	55	85	5	150
Production & manufacturing engineering	5	20	0	30

	Postgraduate	First Degree	Other Undergraduate	Total
Chemical, process & energy engineering	15	20	0	35
Others in engineering	15	10	0	25
Total	180	400	40	620

Source: Higher Education Statistics Agency (HESA)

Notes: Figures have been rounded to the nearest 5 and therefore numbers may not sum to totals.

ENTERPRISE, TRADE AND INVESTMENT

Comprehensive Spending Review

Mr Neeson asked the Minister of Enterprise, Trade and Investment to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within his department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 831/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): The Deloitte Touche report does not of itself form an agreed basis for future policy development. The report focuses on just one of a range of issues which must be considered

As regards good relations, as part of the Comprehensive Spending Review process, DETI reviewed all areas of policy to ensure consistency with the delivery of the vision for Northern Ireland set out in the "A Shared Future – Policy and Strategic Framework for Good Relations in Northern Ireland" which was published in 2005.

High Level Impact Assessments (HLIAs), were also completed for DETI Resource bids. These impact assessments examined equality, anti poverty/social inclusion, good relationship, and sustainable development impacts of bids.

A summary of the HLIAs was forwarded to the Department of Finance and Personnel for its consideration when making recommendations on allocations across the NI Block.

The Strategic Investment Board is considering the good relations impact of Capital Investment.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of Enterprise, Trade and Investment to detail all communications between his department and the Department of the Environment, including those from special advisers, in relation to the planning application from Seaport Investments for a visitors' centre at the Giant's Causeway, prior to 10 September 2007. (AQW 891/08)

Mr Dodds: As part of its work in developing the public sector-led proposal, DETI wrote, on 8 March 2007, to DoE requesting an early decision on the private sector proposal and referring to car parking issues relating to the public sector project. DoE replied on 13 March noting the need for an early decision on the private sector application and agreeing to a meeting on the car parking issues.

Officials from both Departments met on 29 March 2007 to discuss planning and car park issues surrounding the public sector proposal.

On 7 June I met Minister Foster to discuss a number of issues which touched upon the responsibilities of both Departments. The Giant's Causeway was one of those issues. My officials wrote again to DOE on 1 August asking for an early decision on the private sector planning application. DoE replied on 10 August noting that they had completed their consideration of the application and that their Minister wished to discuss the outcome with me. On 21 August, accompanied by officials, I met Minister Foster who advised that she was minded to approve the Seaport application, but that before making an announcement she needed to have further discussions with her officials, some of whom were on leave.

Between 6 and 10 September there were discussions and emails between officials in both Departments regarding the detail of Minister Foster's and my announcements of 10 September. There has been no correspondence between Special Advisors.

Ballycastle to Campbeltown Ferry

Mr Storey asked the Minister of Enterprise, Trade and Investment to provide an update on the position regarding the Ballycastle to Campbeltown ferry. (AQW 1030/08)

Mr Dodds: The Scottish Government, which has lead responsibility for the Ballycastle to Campbeltown ferry service, has produced a discussion paper setting out the relevant issues including possible procurement processes and timetables. My officials are in discussions with Scottish Government officials about the details and will bring advice forward to me in due course. I will consider further, in partnership with my Scottish counterpart, once I am in receipt of the necessary advice.

Regional Tourism Partnerships

Mr W Clarke asked the Minister of Enterprise, Trade and Investment to detail the additional funding that will be made available to the Regional Tourism Partnerships. (AQW 1037/08)

Mr Dodds: The Northern Ireland Tourist Board (NITB) is fully committed to regional development as outlined in the Strategic Framework for Action (2005 – 2008). In the current financial year, £500,000 has been allocated from the agency's core budget to Regional Tourism Partnership's (RTPs).

NITB is looking at the possibility of further funding for regional development with my department and is bidding for an additional £1m per annum for regional development from the EU Competitiveness and Employment Programme 2007-13 to focus on product development and visitor servicing initiatives.

Sustainable Energy

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment what is his assessment of the potential for sustainable energy generation in Northern Ireland and on the island of Ireland; and whether or not the market for sustainable energy would be best developed in the context of a single market. (AQW 1060/08)

Mr Dodds: The Department, in co-operation with the Department of Communications, Energy and Natural resources (DCENR) in the Irish Republic has recently completed a Grid Study of the potential for increased electricity generation from renewable sources on an all-island basis.

Initial indications from the study results are that there is scope for a significant increase in renewable generation across the island. However, exploiting this potential will require investment in both renewable technologies and grid strengthening.

The Departments are currently considering the results of the study prior to a decision of its publication.

While the study considers the development of renewables in the context of a single all-island market, there are no plans at present to adopt a single approach to encouraging that development across the two separate jurisdictions.

Sustainable Energy

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment what plans his department, in conjunction with its counterpart in the Republic of Ireland, has to explore mechanisms to allow a single

market for sustainable energy, which includes the necessary subventions to maximise the potential of the wind resource, which is particularly strong on the west coast of Ireland. (AQW 1061/08)

Mr Dodds: The Single Electricity Market (SEM) for wholesale trading is due to commence operation from 1 November 2007 and represents the culmination of extensive work by my Department and the Department of Communications, Energy and Natural Resources (DCENR) in the Irish Republic. Decisions on the SEM will be taken in the manner which is best calculated to secure a diverse, viable and environmentally sustainable long-term energy supply in Northern Ireland and the Irish Republic, subject to the principal objective and duty to protect the interests of consumers.

As an integral part of plans for the development of renewables across the island of Ireland, DETI and DCENR are currently completing a major Grid Study in relation to the potential for different renewable technologies on the island in 2020 and the implications for future network development.

Subvention measures in support of sustainable energy remain a matter for the respective jurisdictions. The Renewables Obligation is the main support mechanism for large scale wind energy in Northern Ireland while the Irish Republic operates a Feed-in Tariff. There are no plans for harmonisation of these measures across the whole island.

Prospecting Licence

Mr O'Loan asked the Minister of Enterprise, Trade and Investment to detail (i) the nature of the prospecting licence being sought by Lonmin Plc in North Antrim; (ii) what minerals are being sought in respect of this licence; and (iii) what rights, including rights of entry, are provided by such a licence. (AQW 1078/08)

Mr Dodds: The licences being sought by Lonmin Plc in North Antrim would permit the company to carry out an agreed scheme of unobtrusive prospecting activities which may include collation of existing data, soil and stream sampling analysis, mapping of rocks and geophysical surveys using hand held instruments. If evidence of minerals were found, the company would be permitted to drill test boreholes usually using a rig mounted on a tractor.

The company is prospecting for all minerals including gold and silver for which it has applied, as required for precious metals, for a separate crown licence.

The Company is required under the legislation to seek agreement of any landowner whose land it wishes to enter.

ENVIRONMENT

Planning Applications

Mr Wells asked the Minister of the Environment to detail the number of planning applications for single dwellings in the countryside that have been received in each Divisional Planning Office, since (i) 16 March 2006; and (ii) 7 September 2007. (AQW 868/08)

The Minister of the Environment (Mrs Foster):

No of Applications for Single Houses in the Countryside		
Divisional Planning Office	Apps Received since 16 March 2006	Apps Received since 7 September 2007
Ballymena	852	198
Belfast	88	5
Craigavon	1301	195
Downpatrick	712	62
Londonderry	685	93
Omagh	2381	1059
All Divisions	6019	1612

Planning Applications

Mr Wells asked the Minister of the Environment to detail the number of planning applications for single dwellings in the countryside that have been received by the Planning Service, in each of the last ten years. (AQW 869/08)

Mrs Foster: The number of planning applications received since January 2000 for single dwellings in the countryside is listed in the table below. I regret the Planning Service only has readily accessible information on its computer system from 2000. Site history details before that date would require an examination of our paper files and would be disproportionately costly to produce.

RURAL SINGLE DWELLING APPLICATIONS RECEIVED BY PLANNING SERVICE

Year	00-01	01-02	02-03	03-04	04-05	05-06	06-07	07 YTD
Planning Service Total	7,794	8,381	10,558	13,994	16,530	15,301	2,991	2,170

These figures have been extracted from a live dataset which is continuously updated and validated. They should therefore be regarded as indicative only at this point in time and should not be compared with any previous figures published by the Agency.

Planning Applications

Mr Buchanan asked the Minister of the Environment to detail the number of planning applications for single dwellings in the countryside that have been submitted to the Planning Service since 7 September 2007. (AQW 884/08)

Mrs Foster: The number of planning applications for single dwellings in the countryside that have been submitted to the Planning Service since 7 September 2007 is 1612. The breakdown of the applications by division is shown in the table below.

NO OF APPLICATIONS FOR SINGLE HOUSES IN THE COUNTRYSIDE RECEIVED SINCE 7/9/2007 BY DIVISION

Ballymena	198
Belfast	5
Londonderry	93
Craigavon	195
Downpatrick	62
Omagh	1059
All Divisions	1612

Areas of Special Scientific Interest

Mr Gallagher asked the Minister of the Environment what progress has been made in relation to the implementation of the recommendations of the 2003 Northern Ireland Audit Office Report on Areas of Special Scientific Interest; and, for those areas of the report that have not been acted upon, to outline the reasons why these recommendations have not been implemented. (AQW 890/08)

Mrs Foster: Following the issue of the initial report of the Northern Ireland Audit Office (NIAO) on Areas of Special Scientific Interest in March 2003, the Department has made substantial progress in the implementation of the recommendations.

The NIAO published a further related report on 19 July 2005 entitled 'Departmental Responses to Recommendations in NIAO Reports'. This report detailed, under the ten questions contained therein, key issues and associated recommendations arising from the initial report, together with the Department's responses to them.

My officials in the Environment & Heritage Service take the view that recommendations made by the NIAO in 2005 have, with one exception, been appropriately addressed in a way which meets operational needs. The exception is the recommendation for a Service Level Agreement to be established between EHS and the Department of Agriculture and Rural

Development. This is being progressed through a Memorandum of Understanding that is nearing completion.

EHS will seek confirmation of its position from the NIAO during its annual review which is expected to take place in January 2008.

I will write to the Member at that point to let him know the outcome.

Planning Applications

Mr McKay asked the Minister of the Environment to detail whether or not planning applications for housing developments in Rasharkin are being (i) delayed; and (ii) refused, due to inadequate sewerage infrastructure in the village. (AQW 920/08)

Mrs Foster: Planning applications are not being delayed or refused for housing developments in Rasharkin due to inadequate sewerage infrastructure in the village.

However, in one case a developer has been asked to contact Northern Ireland Water to discuss options for dealing with waste water treatment, including providing a permanent facility at his own expense, because the existing waste water treatment option does not have the capacity to deal with the proposal.

Planning Application

Mr Shannon asked the Minister of the Environment to detail whether or not a planning condition requesting a pumping station to be put in place has been attached to the approval of planning application X2007/0315/F; and if this is for a low density or high density pumping station. (AQW 931/08)

Mrs Foster: The Department would advise that planning application (X/2007/0315) for an amended dwelling design in substitution of planning permission (X/2002/1205/F) was received on 8 March 2007 and is still under consideration. No decision has yet been reached.

The application in question will be serviced by a septic tank.

Areas of Special Scientific Interest

Mr Wells asked the Minister of the Environment to detail the number of Areas of Special Scientific Interest that have been designated, in each of the last five years. (AQW 934/08)

Mrs Foster: The number of Areas of Special Scientific Interest designated in each of the last five years are given in the table below

Period	Number Designated
1/04/2003 to 31/03/2004	15
1/04/2004 to 31/03/2005	13
1/04/2005 to 31/03/2006	2
1/04/2006 to 31/03/2007	15
1/04/2007 to 30/09/2007	10

Demolition of Unauthorised Developments

Mr Wells asked the Minister of the Environment to detail all unauthorised developments that have been demolished as a result of enforcement action taken by the Planning Service, since 1 April 2001. (AQW 935/08)

Mrs Foster: The total number of unauthorised developments that have been demolished or removed as a result of enforcement action since 1st April 2001 is 46. This figure includes unauthorised buildings and other permanent structures. The breakdown is as follows:

Dwellings Houses	6
Permanently Sited Mobile Homes	6
Other Buildings (including domestic outbuildings)	24
Walls, Fences and other Ancillary Structures	10
Total	46

Bull Bars

Mr Wells asked the Minister of the Environment what plans she has to introduce legislation making it illegal for private vehicles to have bull bars fitted. (AQW 937/08)

Mrs Foster: I have no plans to introduce legislation making it illegal for private vehicles to have bull bars fitted.

As from 25 May 2007, the use of bull bars or frontal protection systems on passenger cars is subject to the requirements of EC Directive 2005/66/EC which was implemented by amendment to UK-wide EC Type Approval Regulations. All new cars must therefore conform to the technical requirements of this Directive before being registered, sold or entered into service for the first time. Similarly, all bull bars offered for sale as accessories must also be approved to the standards of the Directive and carry an approval mark.

Bull bars fitted prior to 25 May 2007 are subject to the general safety requirements of Construction and Use Regulations.

The Directive does not prohibit bull bars, which if manufactured using flexible or compliant material can offer improved protection for pedestrians, but sets out specific performance provisions that allow them to be marketed provided it is shown they do not reduce the level of safety provided by the base vehicle.

Planning Service Staff Vacancies

Mr Wells asked the Minister of the Environment to detail the number of staff vacancies in the Planning Service at present. (AQW 938/08)

Mrs Foster: Planning Service currently has 72.5 vacancies representing a vacancy rate of 8.3%. The vacancies relate to 39 specialist planning and 33.5 administrative posts.

These vacancies remain despite the Planning Service having recently completed a major external recruitment and an internal promotion exercise.

A further recruitment competition for casual specialist staff has just concluded, so the majority of the planner vacancies will be filled within the next 6-8 weeks when pre-appointment checks have been completed.

In addition, the NICS promotion competitions for administrative staff which are currently underway should assist with filling administrative vacancies as successful staff become available for posting.

The Planning Service is conscious of the pressures created by vacancies arising from staff turnover. The Agency has raised the issue of increasing levels of resignations by planners with the Department of Finance & Personnel's Central Personnel Group (CPG) which is responsible for such matters as pay and terms and conditions of employment.

Marine Bill

Mr Shannon asked the Minister of the Environment what steps she is taking to ensure that the interests of Northern Ireland are represented in the Marine Bill; and if she will confirm that the provisions of this Bill will be UK-wide. (AQW 1009/08)

Mrs Foster: My officials have been working closely with officials in the Department of Environment, Food and Rural Affairs to ensure that Northern Ireland's representation in the Marine Bill takes full and appropriate account of the devolution settlement.

I can confirm that the Scottish Government announced its intention in June 2007 to introduce a Scottish Marine Bill.

Review of Environmental Governance

Ms Ní Chuilín asked the Minister of the Environment to detail the changes her department will implement as a result of the Review of Environmental Governance. (AQW 1023/08)

Mrs Foster: As yet, we have not made any decisions about changes to be made as a result of the Review of Environmental Governance.

Any decisions will be agreed with the Executive and announced in the Assembly in the appropriate way.

Renewable Energy Schemes

Mr Hamilton asked the Minister of the Environment to detail the number of planning applications for renewable energy schemes submitted in each of the last three years, broken down by (i) Divisional Planning Office; and (ii) district council area. (AQW 1049/08)

Mrs Foster: All planning applications for windfarms that connect to the National Grid are dealt with in Planning Service Headquarters (Special Studies). The Departmental Divisional Planning Offices have received many other renewable energy applications eg for small domestic solar panels/ single turbines for domestic/specific uses, etc but these are not specifically recorded on the Planning System and it would be impossible in the time available, etc. to examine the paper files.

In the last 3 years, Planning Service HQ has received the following numbers of windfarm applications:

Year	No of Applications	Divisional Planning Office	District Council Area	No of Applications
2005	16	Omagh	Omagh	6
		Omagh	Strabane	5
		Omagh	Fermanagh	2
		Londonderry	Londonderry	1
		Belfast	Newtown-abbey	1
		Londonderry	Ballymoney	1
2006	22	Omagh	Omagh	8
		Omagh	Fermanagh	3
		Londonderry	Ballymoney	2
		Omagh	Strabane	2

Year	No of Applications	Divisional Planning Office	District Council Area	No of Applications
		Ballymena	Ballymena	2
		Omagh	Dungannon	2
		Belfast	Newtown-abbey	1
		Ballymena	Antrim	1
		Londonderry	Limavady	1
2007	2	Londonderry	Limavady	1
		Omagh	Omagh	1

National Park

Mr P J Bradley asked the Minister of the Environment what plans she has to issue a consultation document on the issues related to the proposed National Park designation for the Mourne/Slieve Croob area of South Down. (AQW 1077/08)

Mrs Foster: The Mourne National Park Working Party presented me recently with its recommendations about the proposed Mourne National Park. I will seek the opinions of the Council for Nature Conservation and the Countryside and the Environment and Agriculture and Rural Development Committees. The views of these bodies will help me decide how to proceed.

Illegal Dumping

Mr Gallagher asked the Minister of the Environment if she will confirm that leachate from an illegal dump is polluting the County River at Kilcoo, Co. Fermanagh; and what plans she has to deal with this issue. (AQW 1115/08)

Mrs Foster: I am aware of the illegal landfill site at Slattinagh in Co Fermanagh. On 20 June 2006 officials in the Environment and Heritage Service (EHS) instigated a prosecution against the operators of the site which resulted in them being found guilty of depositing waste without a licence and with keeping, treating and disposing of waste in a manner likely to cause environmental pollution or harm to human health. EHS officials have also formally applied to the authorities in the Republic of Ireland to have approximately 4500 tonnes of waste removed from the site.

At present there is no conclusive evidence that leachate from the site is causing pollution. Biological water quality monitoring by EHS in the County River, some 6 km downstream of the site, has detected a slight decline in water quality over the past 3 years. However, there is no evidence that this has been caused by the

site at Slattinagh. EHS is considering carrying out an additional monitoring programme to help identify the source of the decline.

Industrial Zoned Land

Mr Doherty asked the Minister of the Environment to provide a detailed breakdown of the availability of industrial zoned land in the Omagh and Strabane District Council areas. (AQW 1182/08)

Mrs Foster: The last survey of industrial land take up was carried out by Planning Service in the Autumn of 2005. This established that, of the 94 hectares zoned in Omagh District, two thirds remain undeveloped while less than one third of the 23 hectares zoned in Strabane District remains undeveloped.

The Omagh Area Plan 2002 zoned 83.6 hectares of industrial land in Omagh town of which 55.7 hectares remain undeveloped. A further 10.5 hectares were zoned in Fintona, Dromore and Carrickmore of which 6.92 hectares remain undeveloped.

The Strabane Area Plan 2001 zoned over 15 hectares in Strabane town of which 3.85 hectares still remain undeveloped. A further 8 hectares were zoned in Castlederg, Newtownstewart and Sion Mills of which 3.8 hectares remain undeveloped.

A review of industrial land needs for West Tyrone is currently being undertaken as part of the preparation for the West Tyrone Area Plan 2019.

Carbon Footprint

Rev Dr Robert Coulter asked the Minister of the Environment what action she is taking, financial and otherwise, to enable communities and individuals to reduce their carbon footprint. (AQO 514/08)

Mrs Foster: The Member will be aware that OFMDFM's Northern Ireland Sustainable Development Strategy identifies that responsibility for sustainability lies with all government Departments, including my own. I take my responsibility very seriously.

To enable communities, individuals and society in general to reduce their carbon footprint I am providing leadership in the following ways.

I am bringing forward to the Assembly a legislative consent motion to extend the provisions of the UK Climate Change Bill to Northern Ireland. The Bill will signal to all the importance of the issue and provide the possibility of future schemes to reduce emissions.

I am working with the Sustainable Development Commission to progress work on behavioural change,

including both community and individual action. I am to receive a report on this before Christmas.

My officials have also been drafting new planning policy aimed at promoting renewable energy in appropriate locations to help in meeting the targets set out in the Sustainable Development Strategy to reduce carbon emissions. Preparation of this policy is at an advanced stage and I will be circulating this to Executive Colleagues for consideration in due course.

I have provided specific support for the Community Eco-Challenge project, started in April 2007 and sponsored by DOE (supported under the Environment and Renewable Energy Fund). The project is about working with local community groups and households to identify those areas which impact on their carbon footprint such as transport and energy and to help reduce their Ecological Footprint through simple lifestyle changes. A total of £250k has been allocated to the project over a 2-year period.

I have also been out there with communities and individuals demonstrating my interest, listening to their views, highlighting the issues, and supporting the organisers by my attendance at “green” or environmental fairs. I have been, for example, to two recent events in Castlewellan and the King’s Hall concerned with reducing carbon footprint and related sustainability matters.

Infraction Proceedings

Dr Farry asked the Minister of the Environment if she will make a statement on infraction proceedings brought by the European Commission on matters that fall within the remit of her department. (AQO 553/08)

Mrs Foster: My Department is currently involved with 25 cases involving infraction proceedings by the European Commission in the areas of waste management, water quality and regulation, natural heritage and planning.

Infraction proceedings constitute formal legal proceedings between the Commission and the Member State and for that reason I cannot provide details of individual cases. However, I can give an assurance that my officials are working positively with the Commission and, where appropriate, with their counterparts in UK Government Departments and the other devolved administrations to resolve all the outstanding issues associated with these cases.

Review of Public Administration

Mr Weir asked the Minister of the Environment what plans she has to hold discussions with stakeholders,

regarding the Review of Public Administration.

(AQO 531/08)

Mrs Foster: When I launched the Review in July 2007 I stated that I was committed to working in partnership with the local government, business and community and voluntary sectors to win consensus on the future shape of local government in Northern Ireland. This remains my position.

In order to meet this commitment, I and my Ministerial colleagues on the Executive Sub Committee are determined that there be significant stakeholder engagement in the review, all working together to prepare for and deliver the change which will achieve the strong, effective and efficient local government that we all want. To this end a major stakeholder conference took place in September aimed at validating the emerging Vision for local government arising out of earlier engagement with stakeholders.

Following the Executive’s consideration of the emerging findings of the review, and the Sub Committee’s proposals for the next stage in the process, I released the Emerging Findings paper to stakeholders last Friday. Our aim is to test the emerging findings with local government as a sector and with other stakeholders, so that the Executive Sub Committee can take those views into account in presenting its final report and recommendations to the Executive.

To provide opportunities for focused consideration and discussion on the issues a regional stakeholder conference and four sub-regional events are taking place over the course of the next few weeks. I have also invited stakeholders to make written comments on the emerging findings, if they feel this to be appropriate.

I would encourage as many organisations and individuals as possible to respond to the proposals set out in the emerging findings paper. I want to hear what people have to say, as do my colleagues on the Executive Sub Committee and the Executive Committee as a whole.

Road Safety

Mr Shannon asked the Minister of the Environment to detail the amount of funding that has been allocated to road safety; and what is her assessment of the success of the road safety advertising campaign.

(AQO 530/08)

Mrs Foster: My Department’s budget for road safety for 2007/2008 is approximately £54 million. This comprises allocations of £5.3 million for Road Safety Division and £48.7 million for the Driver Vehicle Agency. This does not take account of any income.

Research indicates that advertising campaigns have been very successful in improving attitudes and changing

behaviours. I am satisfied that road safety advertising campaigns have made a significant contribution to the reduction in road traffic casualties to date.

Infraction Proceedings

Mr A Maginness asked the Minister of the Environment what discussions she has had with the European Commission regarding infraction proceedings, in respect of the delivery of the Birds and Habitats Directive in Northern Ireland. (AQO 550/08)

Mrs Foster: I have not been directly involved in any discussion with the Commission on these matters. My officials have, when necessary and appropriate, held discussions with the Commission in relation to a number of individual infraction cases, in association with colleagues in DEFRA and the other devolved administrations. These discussions have always been positive and my officials will continue to work closely with the Commission to ensure Northern Ireland's obligations in delivering the objectives and requirements of the relevant European laws are fulfilled.

Climate Change

Mr Brady asked the Minister of the Environment what steps she has taken to address the issue of climate change and global warming on an all-island basis, in conjunction with her counterpart in the Republic of Ireland. (AQO 570/08)

Mrs Foster: Climate change is the greatest environmental threat to Northern Ireland right now. It is currently addressed through a mix of devolved and reserved instruments.

The Kyoto Protocol set targets to reduce greenhouse gas emissions against 1990 baseline levels by 2012. The European Union agreed to meet an 8% reduction in greenhouse gas emissions through a special arrangement. This special arrangement allows the EU's target to be redistributed between Member states to reflect their national circumstances, requirements for economic growth, and the scope for further emission reductions.

The UK agreed to reduce its emissions by 12.5% against the 1990 baseline whilst the Republic of Ireland was allowed a 13% increase. For the UK to reduce and the ROI allowed to emit more, two different strategies have been employed making it difficult for an all-island approach.

In addition, the main instrument to deliver the reductions is the EU Emissions Trading Scheme. Because this is delivered at Member State level there is no scope for an alternative all-island scheme.

Because climate change action involves a mix of reserved, (e.g. fiscal policy) and devolved action, it will be natural that policy will have a Westminster focus.

Whilst our political and economic structure makes it difficult to address climate change on an all-island basis, my officials remain in contact with their counterparts in the Irish Republic to discuss policy development.

Planning Policy Statement 14

Mr Elliott asked the Minister of the Environment what formal training planning officers have received in relation to Planning Policy Statement 14: Sustainable Development in the Countryside, and its implementation. (AQO 547/08)

Mrs Foster: After the publication of any new planning policy measure, Planning Service as a matter of practice provides relevant professional staff in all Divisions with both formal and informal training supported by written guidance. In the case of draft Planning Policy Statement 14 prepared by DRD, Planning Service provided formal training to all its senior professional managers at the time of its publication and this was complemented by the provision of guidance and local informal training through its well-established network of working and decision-making groups.

Cooperation between the Environment and Heritage Service and the Environmental Protection Agency

Mr W Clarke asked the Minister of the Environment to provide an update on co-operation between the Environment and Heritage Service and its counterpart in the Republic of Ireland, the Environmental Protection Agency. (AQO 569/08)

Mrs Foster: I am delighted to note the significant co-operation between the EHS and EPA. Officers are maintaining a close working relationship through regular planned meetings and an ad hoc exchange of information.

The Environmental Enforcement Network Transfrontier Shipment of Waste Working Group meets regularly to discuss matters concerning cross-border movements of waste. Officers have agreed targets to carry out road side checks in conjunction with District Councils in the Republic of Ireland and verification checks of trans-boundary movements. Information, intelligence and evidence are routinely shared to enable more effective tackling of cross-border waste crime.

Shared work in support of the implementation of the EC Water Framework Directive has led to the development of new monitoring, classification, information and reporting tools. This work has also forged improved technical links with the rest of the UK and Europe.

Planning Policies

Mr Ford asked the Minister of the Environment if she will make a statement on updating the suite of planning policies. (AQO 552/08)

Mrs Foster: Given that the planning system has to respond to continuously changing circumstances and emerging issues, the review and update of planning policy is an ongoing process. We bring forward new and revised planning policies as necessary to facilitate the proper economic and environmental development of the Region.

This year's programme includes the publication of final policy statements on Renewable Energy, Residential Extensions and for the Control of Development in Airport Public Safety Zones.

In addition we will consult on draft policy statements for Renewable Energy and Natural Heritage and progress the preparation of PPS 1, which will update the key principles behind the planning system and highlight its role in achieving sustainable development and in meeting the challenges of climate change.

Biodiversity

Mr Molloy asked the Minister of the Environment what steps she is taking to help protect biodiversity. (AQO 578/08)

Mrs Foster: My Department continues to safeguard biodiversity through a comprehensive programme of designating Areas of Special Scientific Interest (ASSIs) for nationally important species and habitats. There are currently over 250 ASSIs and I intend to designate in the region of 200 additional sites by 2016. I would also note that over 50 sites have also been designated under the Habitats and Birds Directives.

In addition, I intend to undertake a review of the Wildlife Order (NI) 1985, which is the principal legislation relating to statutory protection of our important species. As part of this review I will propose additional powers to combat wildlife crime and a statutory duty on public bodies to promote and protect biodiversity when undertaking their functions.

I have also written to Ministerial colleagues to remind them of their responsibilities to implement the recommendations of the Northern Ireland Biodiversity Strategy, which was published in August 2000 and to

seek an update on measures which their Departments are taking to promote biodiversity. Each Department has undertaken to produce a Biodiversity Implementation Plan.

Report of the Mourne National Park Working Party

Mr McCallister asked the Minister of the Environment to give a timescale within which she will make a formal response to the Report of the Mourne National Park Working Party. (AQO 546/08)

Mrs Foster: After the publication of any new planning policy measure, Planning Service as a matter of practice provides relevant professional staff in all Divisions with both formal and informal training supported by written guidance. In the case of draft Planning Policy Statement 14 prepared by DRD, Planning Service provided formal training to all its senior professional managers at the time of its publication and this was complemented by the provision of guidance and local informal training through its well-established network of working and decision-making groups.

Council for Nature, Conservation and the Countryside

Mr Hamilton asked the Minister of the Environment to outline the role of the Council for Nature, Conservation and the Countryside. (AQO 532/08)

Mrs Foster: The role of the Council for Nature Conservation and the Countryside is set out in the Nature Conservation and Amenity Lands (Amendment) (Northern Ireland) Order 1989. In summary, it is

- to advise my Department on matters relating to nature conservation;
- to enquire into and report on matters affecting the natural beauty or amenity of any place in Northern Ireland;
- to advise my Department on the establishment and management of national parks, areas of outstanding natural beauty, areas of special scientific interest and nature reserves;
- to advise me on the establishment and management of marine nature reserves.

Garden Grabbing

Ms Lo asked the Minister of the Environment what action she is taking to combat 'garden grabbing' by developers. (AQO 554/08)

Mrs Foster: In recognition of public concern on this matter and pending the outcome of the policy consideration by a joint group of officials within both the Department of the Environment and the Department for Regional Development, I asked some months ago that all Planning Service staff be reminded of the need to consider fully the impact on the established residential character when processing applications for new residential development. To this end a Planning Circular on the assessment of planning applications for residential development in urban areas, villages and other small settlements was issued to Planning Service operational staff in August 2007.

FINANCE AND PERSONNEL

Staff Team Building

Mr Moutray asked the Minister of Finance and Personnel to detail the total cost of (i) staff away days; and (ii) staff team building exercises, in each of the last three years. (AQW 809/08)

The Minister of Finance and Personnel (Mr P Robinson): The total cost of (a) staff away days and (b) staff team building exercises in the Department of Finance and Personnel in each of the last three years are set out in the table.

Year	Cost of Away Days (£)	Cost of Team Building Exercises (£)	Total Cost (£)
2004-05	26,139	24,255	50,394
2005-06	36,170	16,601	52,771
2006-07	31,689	9,196	40,885

Review of Domestic Rating

Dr Farry asked the Minister of Finance and Personnel if he will explain the concept of 'ability to pay', within the context of the current review of domestic rating. (AQW 815/08)

Mr P Robinson: 'Ability to pay' is a subjective concept but the majority view from the recent consultation exercise appears to define it as the direct relationship between tax liability and current income.

Capital values on their own are not a sufficiently reliable proxy for income and there needs to be checks and balances associated with the system. I believe this can be achieved through the provision of well targeted

reliefs so that those people who are unable to pay are adequately protected.

This is the primary focus of Strand 1 of the ongoing Executive Review of Rating and as Minister responsible I will endeavour to deliver changes by April 2008 to achieve that aim.

Domestic Rating

Dr Farry asked the Minister of Finance and Personnel to explain why an equality impact assessment was not carried out, in respect of his department's decision to create a cap for properties valued at £500k or higher, within the current domestic rating regime. (AQW 816/08)

Mr P Robinson: The decision to create a cap for properties valued at £500k or higher was taken by the previous direct rule Administration and I do not therefore have access to the steps taken to arrive at that decision.

Domestic Rating

Dr Farry asked the Minister of Finance and Personnel to give a timescale within which equality impact assessments will be conducted into the different options within Strands 1A, 1B and 2 of the current review of domestic rating. (AQW 817/08)

Mr P Robinson: A full EQIA process was undertaken and published in respect of the impact of a capital value system. Monitoring continues and it is worth noting that following publication of the new values, NISRA undertook a major study by matching the capital values to census information at individual household level. This study is available on the Rating Reform Website.

It is considered that most of the Strand 1A and many of the Strand 1B issues fall into the category of mitigating measures relating to existing policies and therefore will not be subjected to a new 7 stage EQIA process. Nevertheless, as noted above, my Department has considered or is actively considering all measures in the light of likely differential impact on Section 75 groups.

Other proposals which are not in the nature of mitigating measures (all the Strand 2 policies) must be subjected to full EQIA before any legislation can be presented to the Assembly.

Workplace 2010

Dr Farry asked the Minister of Finance and Personnel what discussions he has had with departmental

staff based at Rathgael House, in relation to the relocation of jobs under the Workplace 2010 plan.
(AQW 818/08)

Mr P Robinson: There have been extensive consultations between the Workplace 2010 team and senior officials in Rathgael House as the strategic plan for the office estate has developed. These discussions have specifically included options for the location of both DE and DFP departmental headquarters under Workplace 2010. DFP also held a public consultation during summer 2006 as part of an Equality Impact Assessment. All staff in Rathgael House had the opportunity to respond and a number participated in focus groups on the issue. Their responses were considered in the final Equality Impact Assessment report.

I am fully aware of the issues relating to Rathgael and have had discussions with members of North Down Borough Council on the matter.

Comprehensive Spending Review

Mr Ford asked the Minister of Finance and Personnel to detail how good relations considerations have been taken into account within his department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 839/08)

Mr P Robinson: As part of the current Comprehensive Spending Review process, Departments were obliged to undertake high level impact assessments in respect of each bid submitted to the Department of Finance and Personnel.

The purpose of these high level impact assessments was to ascertain the equality and good relations implications for each funding proposal submitted and were undertaken in accordance with Section 75 (1) and (2) of the Northern Ireland Act 1998. The Equality Commission for NI also produced a briefing paper for Departments on the importance of mainstreaming equality and good relations considerations into the Comprehensive Spending Review, Priorities and Budget and this paper was also used to inform the development of my Department's bids.

In respect of the report 'The Cost of Division – A Shared Future Strategy', this piece of independent research was commissioned by the previous administration and represents the views of Deloitte. My department is continually reviewing the delivery of its public services. In doing so, it focuses on the needs of those who access its services and on the requirement upon all public bodies to ensure value for money.

Comprehensive Spending Review

Mr Ford asked the Minister of Finance and Personnel to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within his department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 840/08)

Mr P Robinson: As part of the current Comprehensive Spending Review process, Departments were obliged to undertake high level impact assessments in respect of each bid submitted to the Department of Finance and Personnel.

The purpose of these high level impact assessments was to ascertain the equality and good relations implications for each funding proposal submitted and were undertaken in accordance with Section 75 (1) and (2) of the Northern Ireland Act 1998. The Equality Commission for NI also produced a briefing paper for Departments on the importance of mainstreaming equality and good relations considerations into the Comprehensive Spending Review, Priorities and Budget and this paper was also used to inform the development of my Department's bids.

In respect of the report 'The Cost of Division – A Shared Future Strategy', this piece of independent research was commissioned by the previous administration and represents the views of Deloitte. My department is continually reviewing the delivery of its public services. In doing so, it focuses on the needs of those who access its services and on the requirement upon all public bodies to ensure value for money.

Graduate Entry to the NICS

Mr Spratt asked the Minister of Finance and Personnel to detail the number of direct entrant graduates recruited by the Northern Ireland Civil Service, in each of the last five years. (AQW 856/08)

Mr P Robinson: The table below shows the number of direct entrant graduates appointed by the NICS:

Financial Year	Graduate Staff Officer Appointments
2003 – 2004	95
2004 – 2005	63
2005 – 2006	31
2006 – 2007	22
2007 – 2008	56

Ministerial Cars

Mr Cree asked the Minister of Finance and Personnel to detail whether or not an environmental impact assessment was carried out, prior to the purchase of the new Ministerial cars. (AQW 933/08)

Mr P Robinson: The process involving the purchase of new Ministerial cars was completed prior to the restoration of devolution on 8 May 2007. However, I understand that while no formal environmental impact assessment was carried out, as part of the procurement process officials specified strict CO2 emissions requirements that the cars had to meet or better. Additionally information was requested regarding the percentage of each car that could be recycled after use. I am assured that the vehicles chosen were the best available under both criteria.

Budget Underspend

Mr Savage asked the Minister of Finance and Personnel to detail his department's projected underspend for this financial year. (AQW 961/08)

Mr P Robinson: The Department does not project an underspend at this point in the financial year. In-year Monitoring rounds provide opportunities for budgets to be refined in the light of emerging pressures and reduced requirements. The final projected expenditure will be established at the February Monitoring round.

Childcare Vouchers

Mr O'Loan asked the Minister of Finance and Personnel if he will explain the reasons why the salary sacrifice scheme for Childcare Vouchers has not been made available to employees of the Northern Ireland Civil Service; and if he will provide details of the equality impact assessment conducted in relation to this scheme. (AQW 1031/08)

Mr P Robinson: In relation to the decision to delay the introduction of the salary sacrifice scheme in the Northern Ireland Civil Service and compensation for staff, I would refer the hon. Gentleman to the replies I gave my hon. Friends the Members for North Down and Lagan Valley to AQO 210/08 during oral question time on 24 September 2007.

In accordance with my Department's obligations under Section 75 of the Northern Ireland Act 1998 this policy was screened and it was assessed as not having a significant impact on equality of opportunity. It was therefore not necessary to carry out an Equality Impact Assessment.

My officials have had no discussions with Her Majesty's Revenue and Customs about the position of employees who cannot avail of the salary sacrifice scheme because of delayed introduction.

Childcare Vouchers

Mr O'Loan asked the Minister of Finance and Personnel to detail what compensation will be made available to employees of the Northern Ireland Civil Service who have suffered a loss, as a result of the decision not to introduce the salary sacrifice scheme in respect of Childcare Vouchers. (AQW 1032/08)

Mr P Robinson: In relation to the decision to delay the introduction of the salary sacrifice scheme in the Northern Ireland Civil Service and compensation for staff, I would refer the hon. Gentleman to the replies I gave my hon. Friends the Members for North Down and Lagan Valley to AQO 210/08 during oral question time on 24 September 2007.

In accordance with my Department's obligations under Section 75 of the Northern Ireland Act 1998 this policy was screened and it was assessed as not having a significant impact on equality of opportunity. It was therefore not necessary to carry out an Equality Impact Assessment.

My officials have had no discussions with Her Majesty's Revenue and Customs about the position of employees who cannot avail of the salary sacrifice scheme because of delayed introduction.

Childcare Vouchers

Mr O'Loan asked the Minister of Finance and Personnel what discussions his officials have had with Her Majesty's Revenue and Customs in relation to the implementation of a scheme that will allow employees of the Northern Ireland Civil Service to have their case examined on (i) an annual basis; or (ii) an ad-hoc basis, in respect of those employees who cannot avail of the salary sacrifice scheme in respect of Childcare Vouchers. (AQW 1033/08)

Mr P Robinson: In relation to the decision to delay the introduction of the salary sacrifice scheme in the Northern Ireland Civil Service and compensation for staff, I would refer the hon. Gentleman to the replies I gave my hon. Friends the Members for North Down and Lagan Valley to AQO 210/08 during oral question time on 24 September 2007.

In accordance with my Department's obligations under Section 75 of the Northern Ireland Act 1998 this policy was screened and it was assessed as not having a significant impact on equality of opportunity. It was

therefore not necessary to carry out an Equality Impact Assessment.

My officials have had no discussions with Her Majesty's Revenue and Customs about the position of employees who cannot avail of the salary sacrifice scheme because of delayed introduction.

Rating of Agricultural Land

Mr O'Loan asked the Minister of Finance and Personnel what consideration his department is giving to the rating of agricultural land. (AQW 1034/08)

Mr P Robinson: Under the current rating system agricultural land is not valued nor rated and there are no plans to do so. However as you are aware the current review of the new domestic rating system that was introduced by Direct Rule Ministers in April 2007 is examining a wide range of options for change in the short and longer terms, which were included in terms of reference agreed by the Executive. Strand 2 of the review is addressing longer term issues including possible alternatives to the current arrangements and one such alternative, is Land Value Taxation.

I have commissioned the Ulster University to investigate the experience of other jurisdictions that have used Land Value Taxation as a revenue raising measure and I understand they have shared some of their preliminary findings with the DFP Committee. It is clear from the preliminary evidence provided by the Ulster University that in those countries that apply land value taxation, agricultural land normally forms part of the tax base.

However, their work is not yet complete and therefore no decisions have yet been taken. Once I have had time to consider their full findings and taken the views of the DFP Committee I will bring forward my recommendations to the Executive later in the year.

Meeting Requests

Ms S Ramsey asked the Minister of Finance and Personnel to detail the number of meeting requests received from MLAs; the number of these that were declined; the number that were accepted; and the party affiliation of those MLAs whose meeting requests were declined. (AQW 1067/08)

Mr P Robinson: Since the restoration of devolution on 8 May I have received 32 separate requests from MLAs for a meeting. Of these, 30 were accepted. The remaining 2 both related to an issue that was addressed before the meetings could take place and, consequently, no further action was necessary. The two Members involved belong to the UUP and DUP.

Departmental Funding

Ms S Ramsey asked the Minister of Finance and Personnel if he will confirm that children will be identified as a priority in the allocation of departmental funding for the next three years, specifically in relation to (i) the Office of the First Minister and deputy First Minister; (ii) the Department of Culture, Arts and Leisure; (iii) the Department for Employment and Learning; and (iv) the Department of Health, Social Services and Public Safety. (AQW 1069/08)

Mr P Robinson: The Executive's proposed strategic priorities and associated public expenditure allocations for the next three years will be set out in the draft Programme for Government and draft Budget, to be published for consultation on 25 October.

Childcare Vouchers

Mr O'Dowd asked the Minister of Finance and Personnel if he will explain the reasons why the salary sacrifice scheme for Childcare Vouchers has not been made available to employees of the Northern Ireland Civil Service; and if he will provide details of the equality impact assessment conducted in relation to this scheme. (AQW 1093/08)

Mr P Robinson: In relation to the decision to delay the introduction of the salary sacrifice scheme in the Northern Ireland Civil Service and compensation for staff, I would refer the hon. Gentleman to the replies I gave my hon. Friends the Members for North Down and Lagan Valley to AQO 210/08 during oral question time on 24 September 2007.

In accordance with my Department's obligations under Section 75 of the Northern Ireland Act 1998 this policy was screened and was assessed as not having a significant impact on equality of opportunity.

It was therefore not necessary to carry out an Equality Impact Assessment.

Industrial Derating

Mr Newton asked the Minister of Finance and Personnel if he will make a statement on industrial derating. (AQO 527/08)

Mr P Robinson: Earlier this year my Department engaged the Economic Research Institute (ERINI) to undertake a study into the effectiveness and impact of the policy to phase out industrial derating. A preliminary draft Report has been received from them and it is being considered by my officials. I expect a final Report by the end of the month and following Committee and Executive considerations, I will make a statement to

this Assembly of my intentions for the CSR period and the longer term.

In the meantime I will have to outline my intentions for next year as part of the budget process. The final report will not be available before then, but I do have their preliminary report, which takes a hard look at the impact of this measure and identifies concerns about its potential long term effect on some firms. There is enough evidence contained in it on which to base a decision for next year.

I will not say much more about that until the budget statement, however, members may be aware of my line of thinking on the matter: if the focus and centrepiece of Government policy is economic growth, it would be inconsistent to make life more difficult for businesses.

What we cannot do is move backwards, because this is likely to be an issue with the EU in terms of State Aid.

Information Technology

Mr Cobain asked the Minister of Finance and Personnel what is his assessment of the information technology system used by the Land and Properties Agency (Rating Division); and to detail what action he is taking to improve communication between the Rating Division, Social Security Agency and the Northern Ireland Housing Executive. (AQO 528/08)

Mr P Robinson: The first phase of the replacement rate collection system went live in September 2006 to support the introduction of rating reform in April 2007. Rate bills, based on capital value for domestic properties and net annual value for non-domestic properties, were successfully issued on schedule. Whilst there have been problems with the system, key improvements and enhancements have now been delivered. The remaining phases of the project are on schedule, but the project plan may need to be amended to accommodate any changes arising from the Review of Rating Policy.

Land and Property Services meets regularly with the Social Security Agency and the Northern Ireland Housing Executive to highlight and resolve issues of joint concern, and to work in partnership wherever possible. Information is exchanged through a number of computer interfaces to secure efficiencies, reduce processing times and prevent and detect fraud.

Classroom Assistants' Dispute

Mr D Bradley asked the Minister of Finance and Personnel to detail what bid has been received from the Minister of Education, for funding to address the classroom assistants' dispute. (AQO 585/08)

Mr P Robinson: The Department of Education has registered that a potential pressure may arise as a consequence of resolving the current dispute between classroom assistants' and the employers (Education and Library Boards).

However, in light of the current constrained public expenditure environment, the Department must first look to manage this issue from within existing allocations.

Lyons Review

Miss McIlveen asked the Minister of Finance and Personnel what is his assessment of the implications of the Lyons Review into local Government finance, in relation to the present review of rating in Northern Ireland. (AQO 522/08)

Mr P Robinson: The Lyons Review has implications for the present review of rating in Northern Ireland in terms of providing valuable research and analysis to help inform policy decisions here. The recommendations do not apply to Northern Ireland. Although there are significant differences between Northern Ireland and the rest of the UK in terms of our system of local taxation and our structure of local government, there are issues on which there is much common ground. Issues around take up of reliefs, the impact of property tax on pensioners, barriers to providing relief for those on low incomes, such as the savings limit and suggestions for providing more automatic discounts.

I met Sir Michael Lyons a couple of weeks ago and spent some time with him examining those recommendations which could have application in Northern Ireland and may help us refashion the rating system here to make it more acceptable. I will continue to draw from the experience of others in this difficult area of policy, especially established experts in this field such as Sir Michael Lyons.

Budget Underspend

Mr Beggs asked the Minister of Finance and Personnel what is his assessment of underspending in previous budgets on children's services within Northern Ireland, when compared to other regions of the United Kingdom; and to detail what action he is taking to address this underspend. (AQO 526/08)

Mr P Robinson: Budgetary control within NI is primarily based on the nature of the service, as opposed to the ultimate recipient. On this basis it is not possible to provide the information sought.

This position was emphasised by the recent publication by the Northern Ireland Commissioner for Children and Young People, 'An Analysis of Public

Expenditure on Children in Northern Ireland', which highlighted the complexities of measuring the level of expenditure on any particular age group.

It also indicated the difficulties of comparisons between regions of the level of spend on particular groups as services may be provided in a variety of ways.

Flood Compensation

Mr K Robinson asked the Minister of Finance and Personnel to detail how the £5 million made available to flood victims in June was spent; and the amount he maintains in a civil contingencies fund, to meet such eventualities. (AQO 510/08)

Mr P Robinson: The latest figures provided by the Department of the Environment indicate that 1,179 claims, at £1,000 each, have been paid, totalling £1,179,000. Direct costs to councils of £64,000 and contracted services costs of £189,000 have also been reimbursed. There are outstanding costs of some £68,000 giving a total expenditure to date of £1.5 million.

In the current climate of constrained public expenditure it would be unwise to hold unallocated funding to cover eventualities that may not materialise and, in doing so, deprive other public services of much needed funding.

However, as has been demonstrated by our response to this incident, we maintain sufficient flexibility within the current public expenditure system to react to such emergencies.

Business Rates

Mr Gardiner asked the Minister of Finance and Personnel, prior to any re-evaluation of the non-domestic business rate, if he will establish a standardised measurement of footfall which could be used to determine the level of business rates, in light of the impact of out-of-town shopping on town centres. (AQO 509/08)

Mr P Robinson: Shops in Northern Ireland are assessed on the basis of rental value. If out of town shopping is impacting on town centre rental levels this will be reflected in the new assessments following the revaluation. The basis of assessment is set out in legislation and is a well established approach based on market evidence. Whilst footfall figures can assist the assessment process I do not believe that they alone should be used as the basis for determining business rates.

Performance and Efficiency Delivery Unit

Mr Kennedy asked the Minister of Finance and Personnel if he will explain the reasons for announcing a new efficiency watchdog, the Performance and Efficiency Delivery Unit, at the annual conference of the Chartered Institute of Public Finance and Accountancy on 27 September, and not in a Ministerial statement to the Assembly. (AQO 518/08)

Mr P Robinson: As the Member will be aware, on many occasions Ministerial announcements are made in places other than the Assembly Chamber. This also applies to Ministers from his own party, and I do not recall any Assembly questions being tabled by him on those occasions.

In this case, the announcement was in respect of a new Unit within my own Department, within existing legislative process and to be financed from within existing resources. On this basis, and particularly in the context of the conference theme – “Delivering More for Less: The Big Squeeze” - I feel this approach was entirely appropriate.

I am currently considering the composition and remit of the Unit, and will want to consult the Assembly Committee for Finance and Personnel on this issue.

Efficiency Targets

Mr McCrea asked the Minister of Finance and Personnel to detail what efficiency targets have been set for Government departments in Northern Ireland. (AQO 539/08)

Mr P Robinson: Northern Ireland Departments have been set a 3% per annum cash releasing efficiency savings target over the period 2008-09 to 2010-11. This builds on the work of Direct Rule Ministers. My own view is that this is at the low end of what can be achieved, hence I am establishing a Performance and Efficiency Delivery Unit (PEDU), to examine the scope for further efficiencies, and improvements in performance and delivery in NI departments and the wider public sector.

Public Service Jobs

Mr Dallat asked the Minister of Finance and Personnel what steps he is taking to replace public service jobs that have been lost, or are about to be lost, in East Derry/Londonderry. (AQO 583/08)

Mr P Robinson: There are currently no plans to replace public service jobs that have been lost, or are about to be lost in the Parliamentary Constituency of East Londonderry. However I understand that the

Social Security Agency has relocated thirty jobs from Belfast to East Londonderry, with plans for a further four next month. The roll out of the Department for Employment and Learning's Pathway to Work Initiative will also result in additional posts in Coleraine.

I made a statement to the Assembly on 24 September 2007 outlining the Executive's agreement to initiate a time-bound review of policy on the location of public sector jobs in Northern Ireland. I intend to take further detailed proposals on the terms of reference for the review to the Executive shortly.

End-Year Flexibility

Mr Hilditch asked the Minister of Finance and Personnel if he will make a statement on his discussions with HM Treasury, in relation to end-year flexibility. (AQO 506/08)

Mr P Robinson: As part of the ongoing work on the Comprehensive Spending Review, I have had a series of discussions with the Treasury on this issue.

As a result I have been able to secure access to our full stock of End Year Flexibility over the CSR period. This represents an increase of some £295 million over the position offered by the Chancellor in May.

Approval of Government Expenditure

Mr T Clarke asked the Minister of Finance and Personnel to outline the role of his department in approving expenditure by Government departments. (AQO 517/08)

Mr P Robinson: The Ministerial Code confirms the principles set out in Government Accounting Northern Ireland that 'no expenditure can be properly incurred without the approval of the Department of Finance and Personnel'.

My department exercises this responsibility, on behalf of the Assembly, with the objective of ensuring good financial management and value for money.

Northern Ireland Direct Project

Mr McCausland asked the Minister of Finance and Personnel what progress has been made in relation to the Northern Ireland Direct project. (AQO 505/08)

Mr P Robinson: NI Direct is one of my key priorities and is being developed to provide simple, high quality and efficient access to government services through a single 3 digit telephone number and website. It is to be introduced on a phased basis starting with an upgrade of the existing service that I expect to be operational

from autumn 2008 and which will deal with first point of contact enquiries on a range of services including rates, planning and General Registrar's Office.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Budget

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his answer to AQW 485/08, to detail the amount of his department's annual budget that is set aside in order to cover compensation claims; and what percentage of the overall health budget that this represents. (AQW 956/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): My Department's budget for 2007-08 is £4009 million, of which £11 million has been set aside to cover clinical negligence compensation claims. This represents 0.27 percent of the overall DHSSPS budget.

Compensation to Patients

Mr Moutray asked the Minister of Health, Social Services and Public Safety, pursuant to his AQW 485/08, to give a timescale within which he expects outstanding compensation claims to be concluded, broken down by Health and Social Care Trust, in each of the last five years. (AQW 957/08)

Mr McGimpsey: The information requested has been set out in the tables below.

BELFAST HEALTH AND SOCIAL CARE TRUST**BELFAST CITY HOSPITAL HSS TRUST**

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement				
		2007/08	2008/09	2009/10	2010/11	Undetermined
2002/03	23	5	16	2	0	0
2003/04	36	5	25	6	0	0
2004/05	38	7	25	6	0	0
2005/06	31	4	22	5	0	0
2006/07	36	5	25	6	0	0

GREEN PARK HEALTHCARE HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement				
		2007/08	2008/09	2009/10	2010/11	Undetermined
2002/03	3	0	3	0	0	0
2003/04	1	0	1	0	0	0
2004/05	5	3	1	1	0	0
2005/06	16	2	12	2	0	0
2006/07	19	1	17	1	0	0

MATER HOSPITAL HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	7	1	4	2	0
2003/04	16	5	11	0	0
2004/05	10	2	8	0	0
2005/06	23	5	8	10	0
2006/07	28	0	5	23	0

NORTH & WEST BELFAST HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	0	0	0	0	0
2003/04	1	1	0	0	0
2004/05	1	1	0	0	0
2005/06	6	6	0	0	0
2006/07	2	0	2	0	0

ROYAL GROUP OF HOSPITALS AND DENTAL HOSPITAL HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement				
		2007/08	2008/09	2009/10	2010/11	Undetermined
2002/03	34	10	22	2	0	0
2003/04	42	11	31	0	0	0
2004/05	59	17	41	1	0	0
2005/06	66	12	54	0	0	0
2006/07	76	8	33	33	2	0

SOUTH & EAST BELFAST HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	1	0	1	0	0
2003/04	0	0	0	0	0
2004/05	1	0	1	0	0
2005/06	2	2	0	0	0
2006/07	0	0	0	0	0

NORTHERN HEALTH AND SOCIAL CARE TRUST**CAUSEWAY HSS TRUST**

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	6	4	2	0	0
2003/04	9	8	0	1	0
2004/05	8	3	3	2	0
2005/06	18	4	10	4	0
2006/07	18	4	6	4	4

HOMEFIRST COMMUNITY HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	4	2	1	1	0
2003/04	3	1	0	2	0
2004/05	0	0	0	0	0
2005/06	1	1	0	0	0
2006/07	1	0	0	0	1

UNITED HOSPITALS HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	25	7	18	0	0
2003/04	23	9	14	0	0
2004/05	43	14	28	1	0
2005/06	26	8	17	1	0
2006/07	63	11	20	32	0

NI AMBULANCE SERVICE HEALTH AND SOCIAL SERVICES TRUST**NI AMBULANCE SERVICE HSS TRUST**

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	0	0	0	0	0
2003/04	1	0	1	0	0
2004/05	2	0	0	2	0
2005/06	1	1	0	0	0
2006/07	1	0	0	1	0

SOUTH EASTERN HEALTH AND SOCIAL CARE TRUST**DOWN LISBURN HSS TRUST**

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	8	2	4	2	0
2003/04	10	2	5	3	0
2004/05	23	5	2	16	0
2005/06	23	1	6	16	0
2006/07	33	1	3	29	0

ULSTER COMMUNITY & HOSPITALS HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	29	4	7	18	0
2003/04	30	5	9	16	0
2004/05	40	4	9	26	1
2005/06	41	6	14	17	4

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2006/07	38	1	7	16	14

SOUTHERN HEALTH AND SOCIAL CARE TRUST**ARMAGH AND DUNGANNON HSS TRUST**

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	0	0	0	0	0
2003/04	3	2	0	0	1
2004/05	1	0	0	0	1
2005/06	5	1	4	0	0
2006/07	2	0	0	0	2

CRAIGAVON AREA HOSPITAL GROUP HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement				
		2007/08	2008/09	2009/10	2010/11	Undetermined
2002/03	12	2	5	4	1	0
2003/04	17	3	8	4	0	2
2004/05	23	2	7	13	1	0
2005/06	24	1	7	15	1	0
2006/07	40	2	12	26	0	0

CRAIGAVON & BANBRIDGE COMMUNITY HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	0	0	0	0	0
2003/04	1	1	0	0	0
2004/05	0	0	0	0	0
2005/06	0	0	0	0	0
2006/07	3	2	1	0	0

NEWRY & MOURNE HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	11	1	2	8	0
2003/04	13	1	7	5	0
2004/05	12	0	5	7	0
2005/06	9	0	2	7	0
2006/07	14	2	1	10	1

WESTERN HEALTH AND SOCIAL CARE TRUST**ALTNAGELVIN HOSPITALS HSS TRUST**

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	28	16	10	0	2
2003/04	38	25	7	0	6
2004/05	26	12	4	0	10
2005/06	45	4	14	3	24
2006/07	35	3	5	3	24

FOYLE HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	2	0	2	0	0
2003/04	4	0	2	2	0
2004/05	3	1	1	1	0
2005/06	3	0	1	2	0
2006/07	0	0	0	0	0

SPERRIN LAKELAND HSS TRUST

Year of Claim	Number of claims outstanding as at 30 September 2007	Expected Year of Settlement			
		2007/08	2008/09	2009/10	Undetermined
2002/03	30	4	11	12	3
2003/04	14	2	7	5	0
2004/05	19	2	11	3	3
2005/06	25	6	11	6	2
2006/07	17	1	1	3	12

Every effort is made by Health and Social Care Trusts to resolve these issues. However, once the claimant initiates the legal process other factors outside of the Trust's control influence the speed of resolution of the claim. These factors include the decision-making time for the individual claimant concerned; time required to gather medical and other evidence and the time necessary to engage with the court processes.

Practice-Based Commissioning

Mr McCrea asked the Minister of Health, Social Services and Public Safety to give his assessment of the benefits of practice-based commissioning in Northern Ireland. (AQW 973/08)

Mr McGimpsey: I am currently considering the future shape of our health and social care systems in Northern Ireland. While I agree that changes need to be made, it is unlikely that there will be further changes before April 2009 because of likely legislative requirements and practical considerations around restructuring.

I want to be sure that the changes we make will deliver the best outcome for the people of Northern Ireland. Health and social care structures must meet local needs and must be sustainable in the long-term.

The current integrated health and social care system in Northern Ireland has many strengths and I want to capitalise on those strengths. As part of this process I will consider how the various methods of commissioning could contribute to this.

Commissioning Groups

Mr McCrea asked the Minister of Health, Social Services and Public Safety to provide an update on the progress of the work of local commissioning groups. (AQW 974/08)

Mr McGimpsey: I am currently considering the future shape of our health and social care systems in Northern Ireland. While I agree that changes need to be made, it is unlikely that there will be further changes before April 2009 because of likely legislative requirements and practical considerations around restructuring.

I want to be sure that the changes we make will deliver the best outcome for the people of Northern Ireland. Health and social care structures must meet local needs and must be sustainable in the long-term.

The current integrated health and social care system in Northern Ireland has many strengths and I want to capitalise on those strengths. As part of this process I

will consider how the various methods of commissioning could contribute to this.

Commissioning Groups

Mr McCrea asked the Minister of Health, Social Services and Public Safety to give his assessment of the benefits of establishing community commissioning associations. (AQW 975/08)

Mr McGimpsey: I am currently considering the future shape of our health and social care systems in Northern Ireland. While I agree that changes need to be made, it is unlikely that there will be further changes before April 2009 because of likely legislative requirements and practical considerations around restructuring.

I want to be sure that the changes we make will deliver the best outcome for the people of Northern Ireland. Health and social care structures must meet local needs and must be sustainable in the long-term.

The current integrated health and social care system in Northern Ireland has many strengths and I want to capitalise on those strengths. As part of this process I will consider how the various methods of commissioning could contribute to this.

Reformed Health Structures

Mr McCrea asked the Minister of Health, Social Services and Public Safety what representations he has received requesting early decisions to be taken on reformed health structures. (AQW 976/08)

Mr McGimpsey: To date I have received letters from the Chairman of the British Medical Association (NI) dated 13 September and from the Chairman of the General Practitioners Committee of the BMA(NI) dated 27 September 2007 regarding the impact of any delay in taking decisions on the new health and social care structures. In response to these letters, I met with representatives of the British Medical Association on 11 October and plan to meet representatives of the General Practitioners Committee to discuss, amongst other things, their concerns in this regard.

British Heart Foundation

Mr G Robinson asked the Minister of Health, Social Services and Public Safety if he will make a statement on the provision of funding to British Heart Foundation nurses, after the cessation of British Heart Foundation funding for these positions. (AQW 981/08)

Mr McGimpsey: I appreciate the service that British Heart Foundation (BHF) nurses provide in supporting and caring for patients with heart failure.

No definite decision has been taken regarding the long term funding of these positions.

It will be a matter for the commissioners to prioritise how funding is used when funding from BHF ceases, taking into account local circumstances, the evaluation of the individual schemes, the strategic objectives established for the Health and Social Care (HSC) sector and demands and pressures generally at that time for access to a wide range of cardiac and cardiology services.

I would like to assure you of my commitment to develop cardiac services for the benefit of people living with all forms of heart disease. In that context, a Regional Cardiac Network has been established to develop more integrated, responsive and cost-effective cardiac services for the people of Northern Ireland. This will help to ensure the development of patient focused services running seamlessly through primary, secondary and tertiary care. The outcome of this work will be used to inform the development of a commissioning framework for cardiac services.

AIDS and HIV Prescriptions

Ms Ní Chuilín asked the Minister of Health, Social Services and Public Safety to detail the reasons why people suffering from AIDS and HIV must travel to Belfast in order to receive their prescriptions and medication; and why local pharmacies cannot provide this service. (AQW 1022/08)

Mr McGimpsey: It is assumed this question refers to specialist HIV and AIDS medicines, as people with HIV or AIDS can obtain prescriptions for non-specialist medicines from their GPs and have their medicines dispensed by local pharmacies in the same way as other patients.

Treatment for HIV and AIDS is managed regionally by the Genito Urinary Medicine Clinic at the Royal Victoria Hospital in Belfast which provides a specialised clinic with three dedicated consultants. HIV and AIDS therapies are of significant pharmacological complexity and involve combinations of drugs with significant potential for toxicity and complex interactions. These require specialised monitoring which GP practices are unable to carry out. Responsibility for prescribing specialist HIV and AIDS drugs therefore remains with the consultant or specialist clinician based at the Royal and responsibility for supply rests with the hospital pharmacy.

Lymphoedema

Mr McCartney asked the Minister of Health, Social Services and Public Safety to detail what

provision is currently in place for patients suffering from lymphoedema. (AQW 1027/08)

Mr McGimpsey: From 2007/08 an additional £500,000 per year has been allocated to support the implementation of high quality specialist lymphoedema care throughout the province. Lymphoedema services across NI are currently delivered in a variety of healthcare settings in the primary, community and secondary care sectors. The voluntary sector also provides valuable specialist lymphoedema services to patients.

It is planned that the additional funding will allow clinical teams in each trust area to lead on the further development of services locally. Each trust team will strengthen services already in place and improve coordination across all of the relevant specialties (physiotherapy, oncology, palliative care, genetics, dermatology and vascular surgery). In addition plans include the creation of a consultant led complex case clinic which will rotate around a number of locations to provide a regional service.

Northern Ireland Fire and Rescue Service

Mr Storey asked the Minister of Health, Social Services and Public Safety to detail the number of business cases that have been (i) prepared; and (ii) approved by the Northern Ireland Fire and Rescue Service, in each of the last five years. (AQW 1028/08)

Mr McGimpsey: The information requested is set out in the table below:

	02/03	03/04	04/05	05/06	06/07
No of Business Cases Prepared by NIFRS	109	71	73	51	21
No of Business Cases Approved by NIFRS	109	71	73	51	21

The figures refer to business cases which fall within the NI Fire and Rescue Service's delegated limits for expenditure projects.

Northern Ireland Fire and Rescue Service

Mr Storey asked the Minister of Health, Social Services and Public Safety to provide an update on the proposals for a new Northern Ireland Fire and Rescue Service facility in Ballymena. (AQW 1029/08)

Mr McGimpsey: The Northern Ireland Fire and Rescue Service (NIFRS) advises that the replacement of Ballymena Station has been identified as a high priority in its Strategic Development Plan.

NIFRS is working closely with consultants appointed by DHSSPS and the Strategic Investment Board (SIB) to develop outline business cases for estate, fleet and equipment over a 10 year investment period.

Bamford Review and Investing for Health Strategies

Ms Ní Chuilín asked the Minister of Health, Social Services and Public Safety to detail what arrangements his department has put in place to resource the Bamford Review and Investing for Health Strategies.

(AQW 1046/08)

Mr McGimpsey: The Bamford Review of Mental Health and Learning Disability has set out a vision for the improvement of services over the next 15 years. A bid has been submitted through the Comprehensive Spending Review to start implementation of the recommendations in the Report.

There are many actions which contribute to Investing for Health within and beyond my Department. In respect of resourcing the strategy a total of around £22.5 m has been invested by DHSSPS this year. This total includes funding for implementation of a range of healthy lifestyle strategies and contributes to implementation of the Investing for Health Partnerships' local Health Improvement Plans.

Northern Ireland Fire and Rescue Service

Mr Storey asked the Minister of Health, Social Services and Public Safety to detail the number of incidences of civil disturbance that took place when the Northern Ireland Fire and Rescue Service was present, in each of the last three years.

(AQW 1072/08)

Mr McGimpsey: The number of incidences of civil disturbance that Northern Ireland Fire and Rescue Service (NIFRS) attended in each of the last 3 financial years is shown below:

Year	Mobilised Civil Disturbance Incidents
2004/2005	425
2005/2006	548
2006/2007	357

* NIFRS records incidents as "Civil Disturbance" related where one or more of the following conditions apply:

- Incidents attended by NIFRS where the cause of fire has been the result of "Civil Unrest". [Petrol bomb attack, rioting etc.]
- Incidents where NIFRS have had to withdraw due to hostilities or where they come under attack.

- Incidents where NIFRS are called in to deal with fires following a spate of Civil Unrest.

REGIONAL DEVELOPMENT

Blue Disability Badges

Mr McCrea asked the Minister for Regional Development what steps he is taking to eradicate the unlawful use of blue disability badges. (AQW 860/08)

The Minister for Regional Development (Mr Murphy): I can advise that the Parking Enforcement Unit within my Department's Roads Service, has been working closely with the Inclusive Mobility and Transport Advisory Committee (IMTAC) on all aspects of parking enforcement relating to the use of Blue Badges, since responsibility for parking enforcement passed to them in October 2006.

Roads Service and IMTAC have agreed that there should be a dual approach to tackling the unlawful use of the Blue Badges, namely, raising awareness on the use of Badges and supporting this with enforcement against those people who continue to abuse the scheme.

In June this year IMTAC undertook an extensive publicity exercise as part of their Baywatch campaign, to raise awareness of inconsiderate parking in disabled parking bays and the difficulties caused by people using Blue Badges when they are not authorised to do so.

On 8th October, my Department issued a press release explaining that enforcement in this area would be increasing. It also encouraged people not to abuse the scheme and warned that Badges may be confiscated if abuse continued.

Roads Service is committed to tackling this issue by continually raising awareness of the problem and taking enforcement action when necessary. However, levels of enforcement must be set according to available resources and other enforcement demands.

I should point out that enforcement action against people who abuse the scheme is extremely difficult. Traffic Attendants have to gather information on drivers and vehicles where they believe the badge is being misused. In some circumstances this can only be done by questioning the driver when they park or return to the vehicle. This will result in attendants spending long periods observing vehicles, taking them away from other enforcement duties.

With regard to your question relating to the display of information on either side of the Blue Badge, I can advise that my Department is preparing to issue a consultation document in respect of a number of changes to the Blue Badge scheme. The proposed changes

include the alteration of the design of the Badge, and the inclusion of clearer instructions about which side of the Badge must be displayed. Subject to Executive Committee approval, the consultation paper should be issued to interested parties in the very near future. Any suggestions relating to the badge design will be considered as part of the overall consultation process.

Blue Disability Badges

Mr McCrea asked the Minister for Regional Development what consideration he will give to ensuring that the necessary information is displayed on both sides of blue disability badges. (AQW 861/08)

Mr Murphy: I can advise that the Parking Enforcement Unit within my Department's Roads Service, has been working closely with the Inclusive Mobility and Transport Advisory Committee (IMTAC) on all aspects of parking enforcement relating to the use of Blue Badges, since responsibility for parking enforcement passed to them in October 2006.

Roads Service and IMTAC have agreed that there should be a dual approach to tackling the unlawful use of the Blue Badges, namely, raising awareness on the use of Badges and supporting this with enforcement against those people who continue to abuse the scheme.

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Illegally Erected Monuments

Mr Spratt asked the Minister for Regional Development to detail the number of illegally erected monuments on property owned by the Roads Service. (AQW 862/08)

Mr Murphy: In relation to AQW 862/08, my Department's Roads Service has advised that there are some 106 illegally erected monuments on public roads. Of that figure, 72 relate to road traffic accident fatalities while the other 34 relate to the troubles.

With regards to AQW 863/08, Roads Service has advised that no illegally erected monuments have been removed by them in any of the last three years.

Finally, with regards to AQW 864/08, I can advise that Roads Service does not approve of, or support, the unauthorised use of departmental property for illegally erected monuments. However, taking account of its statutory obligations, including those arising under Section 75 (2) of the Northern Ireland Act 1998, there are some sensitive aspects surrounding roadside monuments, and as such Roads Service operates a toleration policy.

Unless such structures pose a danger to road users, or there is a clear indication that their removal would have widespread local support, no immediate action will generally be taken.

Illegally Erected Monuments

Mr Spratt asked the Minister for Regional Development to detail the number of illegally erected monuments that have been removed by the Roads Service, in each of the last three years. (AQW 863/08)

Mr Murphy: In relation to AQW 862/08, my Department's Roads Service has advised that there are some 106 illegally erected monuments on public roads. Of that figure, 72 relate to road traffic accident fatalities while the other 34 relate to the troubles.

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Unless such structures pose a danger to road users, or there is a clear indication that their removal would have widespread local support, no immediate action will generally be taken.

Illegally Erected Monuments

Mr Spratt asked the Minister for Regional Development what steps he will take to address the issue of illegally erected monuments on property owned by the Roads Service. (AQW 864/08)

Mr Murphy: In relation to AQW 862/08, my Department's Roads Service has advised that there are some 106 illegally erected monuments on public roads. Of that figure, 72 relate to road traffic accident fatalities while the other 34 relate to the troubles.

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Unless such structures pose a danger to road users, or there is a clear indication that their removal would have widespread local support, no immediate action will generally be taken.

Independent Water Review Panel

Mr Wells asked the Minister for Regional Development to detail the total cost of the independent water review panel, to date. (AQW 870/08)

Mr Murphy: The Independent Water Review Panel was appointed in June 2007 and since that date it has incurred expenditure of approximately £120k. This figure is made up of £63k in respect of the Panel Members' fees and expenses; £35k in respect of the salaries of the administrative support staff and £22k in respect of general running costs.

106A Service From Lisburn to Antrim

Mr Burns asked the Minister for Regional Development to detail the number of passengers who have used the new 106A service from Lisburn to Antrim; and the number of passengers who have boarded or alighted the bus at Belfast International Airport. (AQW 908/08)

Mr Murphy: The new service from Lisburn to Antrim has been operational since 3 September 2007. Based on the latest ticketing information from Wayfarer (up to 6 October 2007) the statistics are as follows:

- The total number of passengers on the service was 5,227.
- The total number of passengers using the stop at Belfast International Airport was 685.

Unadopted Roads

Mr Burns asked the Minister for Regional Development to detail all roads in the Crumlin area that remain unadopted; and to list the roads that are unadopted because a private developer has defaulted on a road-building bond. (AQW 909/08)

Mr Murphy: In the case of private streets that have been determined through the planning process, it is the responsibility of developers to bring roads and sewers up to the required standard for adoption by my Department.

The following is a list of roads in the Crumlin area that remain unadopted and are subject to Private Streets Order Legislation:

- Bramblewood, Ballytromery Road, Crumlin
- Glenoak Grange, Crumlin
- St James Meadow, Cidercourt Road, Crumlin
- The Mews, Cidercourt Road, Crumlin
- Ballytromery Avenue, Ballytromery Road, Crumlin
- Riveroaks, Mill Road, Crumlin
- Millwater Lodge, Mill Street, Crumlin
- Maple Park, Lurgan Road, Crumlin
- Main Street, Crumlin

Of the above, the Bramblewood development, Ballytromery Road, remains unadopted and the developer has defaulted on the road building bond.

In addition, no road bond was put in place for the Glenoak Grange development before the developer went into liquidation.

If the Member requires any further information for a particular development he should feel free to contact my officials in Roads Service.

Road Safety

Mr Irwin asked the Minister for Regional Development what plans he has to improve road safety at Auglish Cottages on the main Portadown to Newry Road, focusing on (i) the current risk surrounding vehicular access to the cottages; and (ii) the speed of oncoming traffic. (AQW 915/08)

Mr Murphy: Auglish Cottages are located on the A27 Newry to Portadown Road, which is subject to the national speed limit of 60mph. My Department's Roads Service assessed this location, in conjunction with the Police, following several requests to have the speed limit reduced to either 30mph or 40mph. I am advised, however, that given its rural character, coupled with the limited extent of development, it would not be appropriate or effective to introduce a reduced speed limit at this location.

However, as part of its ongoing monitoring of collision information, Roads Service has identified a poor collision history at the crossroads on the southern approach to Auglish Cottages and is currently developing a scheme to include in a future improvement works programme. Also, as the enforcement of speed limit restrictions is a matter for the Police, your concerns will be brought to their attention.

In relation to risks associated with vehicular access to the cottages, as I am sure you will appreciate, it would be an impossible task for Roads Service to be responsible for every private access onto a public road. However, where safety at a private access remains the responsibility of individual landowners, I can confirm that Roads Service would be happy to advise in any reasonable way.

Sewerage Infrastructure

Mr McKay asked the Minister for Regional Development to detail (i) the work that has been carried out to Rasharkin's sewerage infrastructure to date; (ii) the timescale within which it will be brought to an appropriate standard; and (iii) the reasons for the delays in carrying out this work. (AQW 921/08)

Mr Murphy: I have been advised by Northern Ireland Water (NIW) that it recognises the sewerage infrastructure at Rasharkin requires upgrading in order to prevent out-of-sewer flooding and to cater for future development in the area.

In order to reduce the risk of flooding pending a major upgrade, NIW undertook work to improve the capacity of the sewerage system in the vicinity of Main Street. However, it was recognised that a residual risk of flooding remained, particularly at Sunnyside Street, which has been prone to flooding during periods of heavy rainfall.

An upgrade scheme for Rasharkin was originally included in Northern Ireland Water's Capital Works Programme for 2005/06, but further work was required on the original proposal to take into account additional development in the area and to ensure the design was fit for purpose. This resulted in an improved scheme design which required additional funding of around £370,000 to provide adequate foul and storm sewers. This major scheme is now a priority in the Capital Works Programme for 2007/08 and work is scheduled to commence in December 2007, subject to all statutory approvals. The work is expected to take seventeen months to complete.

NI Water's Budget

Mr Savage asked the Minister for Regional Development to detail NI Water's budget; and to give a detailed breakdown of this expenditure, for each of the last three years. (AQW 922/08)

Mr Murphy: The financial requirements for Northern Ireland Water (NIW) were determined as part of the process to develop its Strategic Business Plan. The company submitted its 2007/08 Budget to the Department by 30 April 2007 in accordance with the governance arrangements. However due to the decision not to introduce charges in 2007/08 the Budget required revision. The Department has not yet approved the revised Budget.

As NIW came into existence on 1 April 2007 there are no figures available for the breakdown of its expenditure over each of the last three years. The company has been established with a new financial framework which is not directly comparable with its predecessor. However, the Annual Report and Accounts for Water Service for each of the last three years are available in the Assembly Library.

PricewaterhouseCoopers

Mr Savage asked the Minister for Regional Development to outline the role of PriceWaterhouse Cooper within NI Water; and to detail the annual cost of this consultancy. (AQW 923/08)

Mr Murphy: I have been advised by Northern Ireland Water (NIW) that Pricewaterhouse Coopers' role is to provide support and advice to the company in relation to Transformation Partnering; Customer Billing, Customer Relations and Mobile Work Management; and on a range of Financial Matters. In this role Pricewaterhouse Coopers is undertaking contracts to build additional capability required by Northern Ireland Water under regulation; to enable its efficiency programme; and to advise the company and

the Department on the procurement and delivery of effective systems of customer billing. All of the contracts were independently procured by the Central Procurement Directorate of the Department of Finance and Personnel by way of open and competitive tenders.

As Northern Ireland Water was only created on 1 April 2007 the costs to the company can only be provided from that date. From 1 April 2007 to 19 October 2007, Pricewaterhouse Coopers has undertaken work to the value of £2.3 million for Northern Ireland Water. (Exclusive of VAT)

NI Water

Mr Shannon asked the Minister for Regional Development, pursuant to his letter dated 20 July, what discussions NI Water has had with the Environment and Heritage Service regarding ‘the abandonment of the private works with flow transfer through the pumping station to the inlet of the existing retention as an interim measure pending construction of the new works’; and what decisions have been taken in relation to this matter. (AQW 953/08)

Mr Murphy: I have been advised by Northern Ireland Water (NIW) that they wrote to the Environment and Heritage Service on 16 July 2007 regarding the possibility of the flow transfer of the private works at Motelands development site at Ballyhalbert. I understand that Environment and Heritage Service are still considering this matter and will let NIW have comments on the matter in the near future. I have asked the Chief Executive of NIW, Katharine Bryan, to respond directly to you when this happens.

Wastewater Treatment

Mr Shannon asked the Minister for Regional Development to detail the progress of the interim waste water treatment facility at Ballyhalbert; and to specify when construction will start. (AQW 954/08)

Mr Murphy: I have been advised by Northern Ireland Water that the Chief Executive, Katharine Bryan, in response to your previous Assembly Question, informed you on 4 July 2007 that Northern Ireland Water was “in negotiations with a local landowner with a view to renting lands to the rear of Ballyhalbert village to site a temporary wastewater treatment works”. The negotiations are still ongoing. Northern Ireland Water remains confident that the outcome will facilitate construction of the interim works to commence towards the end of this financial year. The treatment facility will not be operational for at least 12 months from the date work commences. Northern Ireland Water will endeavour to improve on the completion date.

Bridge at Narrow Water

Mr P J Bradley asked the Minister for Regional Development what is his assessment of the Government of the Republic of Ireland’s commitment, in its Programme for Government, to provide a bridge at Narrow Water, linking the counties of Louth and Down. (AQW 978/08)

Mr Murphy: The Irish National Development Plan contains proposals for significant Irish Government Investment in North/South projects and initiatives for mutual benefit. The Irish Government has stated its desire to agree and implement these with the British Government and a restored Northern Ireland Executive in the period 2007 – 2013.

The Irish Government has outlined its priorities for agreement on joint projects with the North to include “improved access for tourism and other opportunities along the Eastern corridor, including better links between County Louth and County Down in Northern Ireland”.

Whilst it is my understanding that the National Development Plan does not make specific reference to a bridge at Narrow Water, I understand that the Department of Transport and the Marine recently granted Louth County Council funds to undertake a technical study to obtain further information on the likely costs of a bridge at Narrow Water, and to explore issues such as the potential impact on the environment.

You will be aware that my Department’s Roads Service is carrying out a similar study relating to the Newry Southern Relief Road. It has been agreed that the outcomes of these studies will be made available to officials.

Free Public Transport

Mrs Hanna asked the Minister for Regional Development what plans he has to prioritise free public transport for children and young people with special educational needs; and, if such plans are already in place, to give a timescale within which they will be implemented, and an estimated cost for their implementation. (AQW 985/08)

Mr Murphy: I have no plans to introduce free public transport for children and young people with special educational needs.

My colleague, Caitriona Ruane, Minister for Education, has advised that the home to school transport arrangements for pupils with special educational needs lie outside the standard arrangements applied, and are tailored to each individual child. If health care professionals deem transport provision necessary as part of the child’s statementing process, then transport

will be provided using whatever mode of transport that is recommended, to whichever school is deemed most suitable to meet that child's needs. The Department of Education funded home to school transport provision for 7,367 pupils with a statement of special educational needs, at a total cost of £12.4 million in 2005/06.

Road Signage

Mr O'Loan asked the Minister for Regional Development what consideration he will give to providing road signage to the Acorn Centre in Ahoghill and the Millennium Centre in Loughgiel, in light of the community service provided by these centres.

(AQW 989/08)

Mr Murphy: In relation to the Millennium Centre in Loughgiel, I understand that signage was provided from the junction of Lough Road and Ballyveely Road in 2002.

In relation to the Acorn Centre in Ahoghill, unfortunately I must repeat the position conveyed to you by my Department's Roads Service earlier this year. This indicated that signage may only be erected to direct road users to community halls and centres where:

1. there is difficulty in locating them; or
2. where there is a clear road safety reason to do so; and
3. they fulfill the following criteria:
 - they are non-denominational;
 - they are owned or managed by or on behalf of a local council; and
 - evidence is available that the hall is used extensively by large numbers of visitors drawn from outside the immediate catchment area.

Having carried out an assessment, and based on the information currently available to Roads Service, my officials have concluded that the Acorn Centre does not qualify for signage.

Jordanstown Road, Newtownabbey

Mr K Robinson asked the Minister for Regional Development if he will investigate, as a matter of urgency, the potential for improving the Jordanstown Road in Newtownabbey, between the railway bridge and the new junction with the Monkstown Road, in order to further protect pedestrians and motorists using this increasingly busy route. (AQW 1000/08)

Mr Murphy: My Department's Roads Service advise me that it carried out a survey of vehicular and pedestrian movements at the Jordanstown Road/ Monkstown estate junction on 5 October 2007.

Following analysis of the survey results, preliminary work will be undertaken on a scheme to provide a pelican crossing at the junction. The scheme will be included in a list with other potential schemes to be considered for prioritisation and possible inclusion in the Roads Service 2008/2009 programme of works.

Energy Consumption and Emissions

Mr B Wilson asked the Minister for Regional Development, in light of the various commitments to reduce energy consumption and emissions in Northern Ireland, to outline any major initiatives planned to improve the performance of, and reduce, emissions from the transport sectors; and to detail any associated targets. (AQW 1021/08)

Mr Murphy: My Department's Regional Transportation Strategy seeks to reduce people's reliance on the private car and improve the use of public transport, cycling and walking, thereby reducing energy consumption and emissions from transport. Bids have been made through the Budget 2007 process to continue to provide significant levels of investment for bus and rail travel. My Department is continuing with the introduction of Quality Bus Corridors in the Belfast Metropolitan Area and of Park & Ride sites to encourage the use of bus or rail, and is carrying out a feasibility study into a rapid transit network for the Belfast Metropolitan Area. The Travelwise initiative also encourages walking, cycling and public transport use. The Travelwise Car Scheme encourages 2 or more people to travel together to reduce travel costs, congestion, pollution, and carbon dioxide emissions.

The Sustainable Development Strategy identified the need to take steps and identify targets to reduce greenhouse gas emissions from transport. Targets will be considered as part of the mid term Review of the Regional Transportation Strategy. The Belfast Metropolitan Transport Plan and Regional Strategic Transport Network Transport Plan indicate that targets for reducing emissions of Nitrogen Oxides and particulates from road traffic will be specified in Local Air Quality Management Action Plans.

Road Deaths

Mr O'Loan asked the Minister for Regional Development what further action the Roads Service will take at the junction of the Largy Road, the Carnearey Road and the Loughbeg Road, in light of the recent road accident that led to the death of a motorcyclist. (AQW 1035/08)

Mr Murphy: It is with regret that my staff and I learn of a death on our roads. However, the circumstances surrounding the recent collision which led to the death of a motorcyclist at the Largy Road/Carnearnery Road/Loughbeg Road junction are currently under investigation by the PSNI and it would be inappropriate to comment until the facts surrounding this collision are known. I should add that road safety continues to be one of Roads Service's top priorities. We are fully committed, along with other agencies, such as the Police and DoE's Road Safety Education Branch, to doing all that we can to reduce the number of people killed or injured on our roads.

However, I can advise that my Department's Roads Service is currently considering the findings of a 'Whole Route Study' which was recently completed on the B52, Largy Road. I have therefore asked Roads Service to notify you of their conclusions as soon as their assessment is complete.

Ticket Machines

Mr G Robinson asked the Minister for Regional Development what steps he is taking to ensure that all ticket machines, used by conductors employed by Northern Ireland Railways, are able to read smart passes and concessionary fare cards. (AQW 1043/08)

Mr Murphy: Translink/NIR is responsible for ensuring that ticketing machines have the capacity to read smart passes and concessionary fare cards. Currently these machines have the capacity to read the complete range of smart passes and fare cards. If an individual machine should fail, responsibility for fixing the problem rests with NIR.

Speed Restrictions

Mr K Robinson asked the Minister for Regional Development if he will confirm that legislation that is currently in place would enable him to introduce a 20 miles per hour speed limit within (i) towns, villages and cities; and (ii) residential areas. (AQW 1044/08)

Mr Murphy: As responsibility for setting speed limits rests with my Department, your question has been referred to me as Minister for Regional Development to answer.

I can confirm that my department, under current legislation, has the powers necessary to introduce 20 miles per hour speed limits in towns, villages, cities and in residential areas.

Roads

Mr J Dallat asked the Minister for Regional Development what steps his department has taken to ensure that (i) roads are not dug up unnecessarily by third parties (including utilities); and (ii) when roads are dug up, that they are reinstated to the highest standards. (AQW 1062/08)

Mr Murphy: My Department's Roads Service is fully aware of the issues associated with road openings by third parties, given the level of activity across the North in recent years and significant progress has been made to ensure roads are reinstated to an appropriate standard.

I should, however, explain that Utility Companies have a statutory right to open public roads and footways to install and maintain their equipment. Because of this, Roads Service has no control over the number of openings made by utilities, although they do have powers, under the Street Works (Northern Ireland) Order 1995 as amended by the Street Works (Amendment) (Northern Ireland) Order 2007, to regulate the process.

Utility street works are coordinated under the Order, with coordination being facilitated by a computerised system, called the Northern Ireland Street Works Register and Notification System (NISRANS). Roads Service and all main utility companies have access to this system to view planned works and comment on proposals, should there be any issues or potentially conflicting works.

With regard to the second part of your question, I can confirm that established policy is in place which requires utilities to reinstate roads and footways to the standards expressed in the Specification of the Reinstatement of Openings in Roads, issued under the Order.

Roads Service officials continue to inspect and monitor street works on an ongoing basis, to ensure that the work of utilities complies fully with the specification. Additionally, utilities are required to have at least one operative in each squad who has been trained in street works and holds a current registration card. Each site must be visited by a trained street works supervisor from the relevant third party on a daily basis.

Roads Service also operates a strong enforcement policy, particularly where serious infringements of the legislation occur. In recent years a number of utilities have been successfully prosecuted for breaches of the Street Works Order.

The number of road openings by other third parties, such as private developers, is rather small by comparison. They are usually carried out under either the Private Streets (Northern Ireland) Orders 1980 and 1992 (if the work is associated with a new housing

development) or, (for most other cases) by Agreement or Consent issued by Roads Service under either the Private Streets or Roads Orders respectively or the Planning (NI) Order 1991.

In each case Roads Service has no supervisory role as to the way this work is carried out, other than to ensure that it meets the required specification and layout. However, where the consent has been contravened, Roads Service has the power to rectify serious infringements and recover the costs from the developer's bond.

Departmental Correspondence

Mr Wells asked the Minister for Regional Development to detail what instructions he has issued to staff in his department, in relation to references to (i) Derry/Londonderry; (ii) Northern Ireland; (iii) the United Kingdom; and (iv) Great Britain, in departmental correspondence. (AQW 1089/08)

Mr Murphy: I have not given any instruction to staff in respect of the references listed by the Member. However, in any correspondence to be signed by me, or speeches that I will deliver, I have advised that I prefer to use the terms Derry and the North.

Rail Link Between Waterside Railway Station and Coleraine Railway Station

Mr McCartney asked the Minister for Regional Development to detail (i) his department's bid for funding; (ii) the amount of finance secured; and (iii) a breakdown of expenditure, in relation to the upgrade of the rail link between Waterside Railway Station and Coleraine Railway Station, between 27 July 2000 and 14 October 2002. (AQW 1116/08)

Mr Murphy: The bids for railway infrastructure and rolling stock lodged as part of the 2000 Comprehensive Spending Review and the funding received, were as follows:

	Total
Bids	£122.0m
(element included for lesser used lines)	(£4.3m)
Funding secured	£102.5m

The bid for the "lesser used lines" was to cover the lines north of Ballymena and Whitehead.

Translink carried out a range of projects during the period 27 July 2000 to 14 October 2002 on the line between the Railway Station at Waterside and Coleraine Railway Station. Translink have provided a breakdown of that expenditure as follows:

Castlerock Resignalling	£231,415
Coleraine to Londonderry Track	£28,385
Coleraine Integrated Transport Centre	£670,078
Castlerock Re-lay	£23,929
Coleraine Footbridge	£127,393
Points and Crossing – Coleraine	£38,155
Slope Stabilisation	£200,601
Castlerock Tunnel Lighting	£43,698
River Bann Bridge	£20,153
Coleraine Passenger Information System	£98,484
Magilligan Platform	£12,502
Coleraine Train Describer	£87,390
Total	£1,582,183

In addition to the above, expenditure was incurred on the following items:

- Fencing
- Station Condition Improvements
- Accommodation crossings improvements
- Vegetation clearance

These were network-wide projects and Translink cannot identify expenditure that relates solely to the line between Derry and Coleraine.

Hightown Bridge

Mr Ford asked the Minister for Regional Development what steps he is taking to alleviate the difficulties of people living and working in the Hightown and Mallusk areas of Newtownabbey, as a result of the closure of the Hightown Bridge from Sunday 21 October. (AQW 1122/08)

Mr Murphy: My Department's Roads Service advises that the Hightown Road Bridge, which is 50 years old, has been assessed as being under strength and requires to be replaced. This work is being undertaken in association with the contract to widen the M2 at this location.

The current closure to vehicular traffic for a period of 6 weeks from 22 October 2007 is necessary to facilitate work on the diversion of essential British Telecom services that cross the bridge, in advance of demolition works to be undertaken next year and to ensure that these essential services are maintained. Pedestrian access will be maintained across the Hightown Bridge during the 6-week period.

During the closure a signed diversionary route will be available via Mallusk Road, Scullions Road,

Sandyknowes Roundabout and Antrim Road, in both directions.

In order to reduce the impact of the closure on the travelling public Roads Service has:

- made full time the existing part time signals at Sandyknowes Roundabout;
- adjusted the signal timings on the A8 and M2 southbound offslip of the roundabout to accommodate extra traffic on Scullions Road;
- adjusted signal timings to Mallusk Road from Hightown Road and Mayfield Link to help accommodate displaced traffic;
- made adjustments to the traffic signals along the Antrim Road Line to help deal with the expected increase in traffic along this route;
- introduced additional monitoring of the junction and surrounding area for a period until traffic patterns stabilise; and
- undertaken publicity to advise people of the closure, including:
 - Letters distributed to residents of Hightown Estate, Derry Road and Mallusk Areas;
 - Notification to Newtownabbey Council and Councillors;
 - Notification to Glengormley Chamber of Commerce and Glengormley Town Centre Management;
 - Notification to Emergency Services;
 - Notification to Translink;
 - Notification to Edmund Rice School;
 - Advertised the closure through the media;
 - Notices of closure posted on bridge; and
 - Liaison with elected representatives.

Translink has also put in place a Shuttle Bus that will operate in the peak periods over the next 6 weeks between Edmund Rice School and Scullions Road to link with the service between Antrim Road and Roughfort.

Following this initial 6-week closure, the road will be reopened on 3 December to facilitate the run up to the Christmas period. The road will be closed again in January for approximately one year, during which time the bridge will be demolished and rebuilt.

Belfast to Coleraine Express Bus

Mr Storey asked the Minister for Regional Development to detail the number of passengers using the 218 Belfast to Coleraine express bus service, in the last three years. (AQW 1127/08)

Mr Murphy: In the last three operational years passenger numbers on the Belfast to Coleraine express were as follows.

Year	Passenger Numbers on the 218 Express
2004/05	283,035
2005/06	303,071
2006/07	312,577

These figures include those who have travelled from Belfast to Coleraine and vice versa, as well as those boarding and alighting at intermediary stops.

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Hightown Bridge

Mr Burns asked the Minister for Regional Development to detail the reasons why a temporary bridge will not be erected across the M2 to replace the Hightown Bridge, when it is demolished for reconstruction in December 2007/January 2008.

(AQW 1209/08)

Mr Murphy: The 50 year old Hightown Road Bridge has been assessed as being under strength and in need of replacement. This work is being undertaken as part of the contract to widen the M2 at this location. Initially, the bridge will be closed for a 6-week period, from Monday 22 October 2007, to allow essential utility work to be undertaken in anticipation of the bridge's demolition next year.

In preparation for these works, Roads Service officials considered a number of possible temporary traffic management options. These included the provision of a temporary bridge across the M2 motorway adjacent to the existing structure. This option was discounted, due to the close proximity of properties along both sides of the Hightown Road and the geometry of the existing Derry Road and Mallusk Road, making it impossible to construct the necessary approach roads to a temporary bridge at this location.

However during both closures a signed diversionary route will be available via Mallusk Road, Scullions Road, Sandyknowes Roundabout and Antrim Road, in both directions. Pedestrian access will be maintained across the Hightown Bridge during the 6-week period.

Roads Service has also introduced changes to traffic signals at a number of key junctions on the diversion route and will continue to monitor traffic conditions during the bridge closures.

Officials are currently considering the introduction of additional signals at the Scullions Road access onto

Sandyknowes Roundabout, for the longer term closure during the planned demolition and rebuilding of the bridge.

SOCIAL DEVELOPMENT

Comprehensive Spending Review

Mr Lunn asked the Minister for Social Development to detail how good relations considerations have been taken into account within her department's bid, in relation to the current Northern Ireland Comprehensive Spending Review. (AQW 835/08)

The Minister for Social Development (Ms Ritchie): As part of the current Comprehensive Spending Review process, Departments were obliged to undertake high level impact assessments in respect of each bid submitted to the Department of Finance and Personnel.

The purpose of these high level impact assessments was to ascertain the equality and good relations implications for each funding proposal submitted and were undertaken in accordance with Section 75 (1) and (2) of the Northern Ireland Act 1998. The Equality Commission for NI also produced a briefing paper for Departments on the importance of mainstreaming equality and good relations considerations into the Comprehensive Spending Review, Priorities and Budget and this paper was also used to inform the development of my Department's bids.

In respect of the report 'The Cost of Division – A Shared Future Strategy', this piece of independent research was commissioned by the previous administration and represents the views of Deloitte. My department is continually reviewing the delivery of its public services. In doing so, it focuses on the needs of those who access its services and on the requirement upon all public bodies to ensure value for money.

Comprehensive Spending Review

Mr Lunn asked the Minister for Social Development to detail how the Deloitte Touche report, 'The Cost of Division – A Shared Future Strategy' is being taken into account within her department's approach to the current Northern Ireland Comprehensive Spending Review. (AQW 836/08)

Ms Ritchie: As part of the current Comprehensive Spending Review process, Departments were obliged to undertake high level impact assessments in respect of each bid submitted to the Department of Finance and Personnel.

The purpose of these high level impact assessments was to ascertain the equality and good relations implications for each funding proposal submitted and were undertaken in accordance with Section 75 (1) and (2) of the Northern Ireland Act 1998. The Equality Commission for NI also produced a briefing paper for Departments on the importance of mainstreaming equality and good relations considerations into the Comprehensive Spending Review, Priorities and Budget and this paper was also used to inform the development of my Department's bids.

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Village Planning Day

Mr Spratt asked the Minister for Social Development what action she is taking to progress the redevelopment of the Village area in South Belfast, following the 'Village Planning Day' held on 9 July 2007. (AQW 855/08)

Ms Ritchie: I am making arrangements for a further Planning Day to report on progress on the Village area. The economic appraisal for the first phase of the Urban Renewal proposal is at present being considered and financial bids were lodged with the Strategic Investment Board as part of the Comprehensive Spending Review. My Department awaits information from Representative Groups who were to identify, in their opinion, the streets in worst physical condition.

Housing Executive Insurance Claims

Mr Shannon asked the Minister for Social Development to detail the number of insurance claims that have been lodged with the Northern Ireland Housing Executive or its insurance companies, broken down by district council area, in each of the last three years. (AQW 873/08)

Ms Ritchie: The Housing Executive self-insures against all Public Liability Claims up to a limit of £500,000. This includes injury liabilities which arise from incidents on its property.

The tables below detail the number of Public Liability Claims lodged with the Northern Ireland Housing Executive in each of the last three years,

including those claims involving personal injury, by District Council area, for the period 2004/05-2006/07.

Housing Executive Insurance Claims

Mr Shannon asked the Minister for Social Development to detail the number of personal injury claims that have been lodged with the Northern Ireland Housing Executive in each of the last three years, broken down by district council area.
(AQW 885/08)

Ms Ritchie: The Housing Executive self-insures against all Public Liability Claims up to a limit of £500,000. This includes injury liabilities which arise from incidents on its property.

The tables below detail the number of Public Liability Claims lodged with the Northern Ireland Housing Executive in each of the last three years, including those claims involving personal injury, by District Council area, for the period 2004/05-2006/07.

Housing Executive Insurance Claims

Mr Shannon asked the Minister for Social Development to detail, broken down by district council area, the number of claims lodged in respect of damage to houses owned by the Northern Ireland Housing Executive due to (i) renovations; (ii) repairs; and (iii) natural disasters, in each of the last three years.
(AQW 886/08)

Ms Ritchie: The information is not available. The Northern Ireland Housing Executive does not record Public Liability claims by cause.

Conway Mill

Mr Adams asked the Minister for Social Development what plans she has to finance the refurbishment of Conway Mill.
(AQW 912/08)

Ms Ritchie: The Department for Social Development is the lead funder of the redevelopment of Conway Mill. The Department's Belfast Regeneration Office has granted £1.2million from the Neighbourhood Renewal Fund towards the project, which has an overall budget of £4.3 million. The redevelopment project has now been formally initiated and an Employer's Agent has recently been appointed to manage the project. The estimated start time for work on site is June 2008.

New Build Social Housing Scheme

Mr McKay asked the Minister for Social Development to detail whether or not the new build social housing scheme for Rasharkin will commence on the agreed start date; and, if not, to give the reasons for the delay.
(AQW 919/08)

Ms Ritchie: A scheme at Church Road, Rasharkin is programmed to go on site during 2008/09. This site is owned by the Housing Executive and Triangle Housing Association has been nominated to deliver the scheme. Both are working to achieve the target on site date but there may be a problem with the capacity of the sewerage system at present to accommodate a connection to the sewer for this development. Every effort will be made to resolve this issue.

Housing Executive Insurance Claims

Mr Shannon asked the Minister for Social Development to detail the cost of personal injury claims to the Northern Ireland Housing Executive, broken down by district council area, in each of the last three years.
(AQW 928/08)

Ms Ritchie: Expenditure on Public Liability Claims (PLC) made to the Northern Ireland Housing Executive, for the last three full financial years was as follows:

PLC EXPENDITURE FOR 2004/05-2006/07 BY DISTRICT COUNCIL AREA

Council	2004/2005 £k	2005/2006 £k	2006/2007 £k	Total £k
Antrim	50	69	22	141
Ards	26.5	53	38	117.5
Armagh	29	11	8.5	48.5
Ballymena	16	10	33	59
Ballymoney	8	5	10	23
Banbridge	30	10.5	16	56.5
Belfast	553	676	435	1.6m
Carrickfergus	19	61	33	113
Castlereagh	73	58	65	196
Coleraine	22	8	21	51
Cookstown	0	2	0.2	2.2
Craigavon	50	80	52	182
Londonderry	223	185	123	531
Down	22.5	40	44	106.5
Dungannon	69	38.5	2	109.5

Council	2004/2005 £k	2005/2006 £k	2006/2007 £k	Total £k
Fermanagh	25	10	2	37
Larne	14.5	29	15	58.5
Limavady	22.5	17	39	78.5
Lisburn	91	57	56	204
Magherafelt	41	31	35	107
Moyle	0	0	13.5	13.5
Newry & Mourne	53	68	150	271
Newtownabbey	88	49	437	574
North Down	47	20	11	78
Omagh	20	16	13	49
Strabane	53.5	18	45	116.5
Total	1.6m	1.6m	1.7m	4.9m

These figures include claims involving both personal injury and property damage.

Housing Executive Insurance Claims

Mr Shannon asked the Minister for Social Development to detail whether or not the Northern Ireland Housing Executive's insurance companies have settled the issue in relation to claims for burst water tanks; and to confirm the timescale for settling claims, broken down by Housing Executive district area, in each of the last three years. (AQW 929/08)

Ms Ritchie: The Northern Ireland Housing Executive self-insures against all Public Liability Claims up to a limit of £500,000. This includes property damage and personal injury liabilities which arise from incidents on its property. Claims for damaged cold water storage tanks are treated in the same manner as any other claim made to the Housing Executive. As these largely fall below the £500,000 limit, settlements are met from the Housing Executive's own budget and do not involve an insurance company. There are no set timescales for dealing with insurance claims since the assessment of whether the Housing Executive has been negligent depends on a variety of factors. However the Housing Executive strives to deal with claims as efficiently as possible. Thirty four claims under £250 were settled in-house by the Housing Executive in 2006/07 and a further 50 were settled by claims handlers working on the Housing Executive's behalf. A small number of claims progress to Court, while others may be resolved without recourse to the Housing Executive, for example, by contractors.

Burst Water Tanks

Mr Shannon asked the Minister for Social Development to detail the number of water tanks that have burst in Northern Ireland Housing Executive properties, broken down by Housing Executive district area, in each of the last three years. (AQW 930/08)

Ms Ritchie: The information is not available in the form requested.

However, the Northern Ireland Housing Executive replaced a total of 1258 storage and expansion tanks for the financial years 2004/05 to 2006/07. The reason for replacement included wear and tear, scheme work and damage. The cause of the replacement is not recorded.

Child Support Agency

Mr McGlone asked the Minister for Social Development what plans she has for the Child Support Agency; to detail the impact that these plans will have on services; and to outline in full any anticipated job losses. (AQW 983/08)

Ms Ritchie: I intend to bring forward similar Child Support policy changes for Northern Ireland as those outlined in The Child Maintenance and Other Payments Bill in Great Britain.

The four principles for reform should tackle child poverty, promote parental responsibility, provide a cost effective and professional service and be simple and transparent. The changes include:

- removing the requirement for parents with care who claim benefits to be treated as applying for child maintenance;
- encouraging parents to make their own arrangements by increasing the amount of maintenance which parents with care on benefit can keep before their benefits are affected (known as "disregard");
- simplifying and streamlining the child maintenance assessment process by, for example, using the latest available tax year information as the basis for calculating child maintenance;
- improving collection and enforcement processes; and
- increasing efforts to collect and manage debt.

I have also concluded that the existing Northern Ireland Child Support Agency should be wound up and service delivery brought under the direct control of my Department. This offers the best long term solution for Northern Ireland, minimising the need for organisational change and allowing us to concentrate on maintaining and improving services to parents with care and non-resident parents, and ultimately children.

In relation to the matter of job losses, the size of the new Child Support organisation has not been determined and I am therefore not in a position to assess the impact on staffing levels.

Public Housing Units

Mr W Clarke asked the Minister for Social Development to detail the number of units of public housing that have been provided in (i) Newcastle; (ii) Castlewellan; (iii) Downpatrick; and (iv) Ballynahinch, in the last two years. (AQW 1012/08)

Ms Ritchie: Twenty four homes were started or completed in Newcastle and 12 in Ballynahinch in the last two years. The current Social Housing Development Programme makes provision for 77 units in Downpatrick, 35 in Newcastle and 7 in Castlewellan over the next 3 years.

Land for social housing has been very difficult to acquire in Downpatrick, Ballynahinch, Newcastle and Castlewellan due mainly to high cost and competition from the private sector.

Housing Associations are actively seeking sites in areas where housing need has been identified and the Housing Executive is reviewing its own land holdings and working with others to try to identify suitable development opportunities. In addition to the schemes formally identified within the programme, Housing Associations have identified 4 potential sites in Newcastle; 3 in Castlewellan; 5 in Ballynahinch and 8 in Downpatrick. Work is underway to determine the feasibility of developing these sites with a view to acquisition.

The Housing Executive also has a detailed site investigation programme underway in areas of housing need across Northern Ireland as a whole. Newcastle, Ballynahinch and Downpatrick are included within this study.

Public Housing Units

Mr W Clarke asked the Minister for Social Development to detail the number of units of public housing that will be provided in (i) Newcastle; (ii) Castlewellan; (iii) Downpatrick; and (iv) Ballynahinch, in the next two years. (AQW 1013/08)

Ms Ritchie: Twenty four homes were started or completed in Newcastle and 12 in Ballynahinch in the last two years. The current Social Housing Development Programme makes provision for 77 units in Downpatrick, 35 in Newcastle and 7 in Castlewellan over the next 3 years.

Land for social housing has been very difficult to acquire in Downpatrick, Ballynahinch, Newcastle and Castlewellan due mainly to high cost and competition from the private sector.

Housing Associations are actively seeking sites in areas where housing need has been identified and the Housing Executive is reviewing its own land holdings and working with others to try to identify suitable development opportunities. In addition to the schemes formally identified within the programme, Housing Associations have identified 4 potential sites in Newcastle; 3 in Castlewellan; 5 in Ballynahinch and 8 in Downpatrick. Work is underway to determine the feasibility of developing these sites with a view to acquisition.

The Housing Executive also has a detailed site investigation programme underway in areas of housing need across Northern Ireland as a whole. Newcastle, Ballynahinch and Downpatrick are included within this study.

Housing Executive Waiting List

Mr W Clarke asked the Minister for Social Development to detail the number of people who are on the Northern Ireland Housing Executive waiting list in (i) Newcastle; (ii) Castlewellan; (iii) Downpatrick; and (iv) Ballynahinch. (AQW 1014/08)

Ms Ritchie: At 30 June 2007 the total waiting list figures were as follows; Newcastle 261, Castlewellan 111, Downpatrick 299 and Ballynahinch 162. Of these totals the following had more than 30 points; Newcastle 152, Castlewellan 63, Downpatrick 162 and Downpatrick 112.

Warmer Homes Scheme

Ms Ní Chuilín asked the Minister for Social Development what steps she has taken to ensure that people who are entitled to payments from the Warmer Homes Scheme are not subjected to any delay; and that such payments are increased in line with rising fuel costs and inflation. (AQW 1024/08)

Ms Ritchie: The Warm Homes Scheme does not provide payments to eligible householders, rather a range of energy efficient measures such as a variety of insulation, including cavity wall and loft insulation, as well as an oil or natural gas energy efficient central heating system to those eligible householders over 60 years of age.

Despite current funding of just over £20 million, the Scheme is oversubscribed. However, my Department is endeavouring to keep delays to a minimum. Maximum grant limits for measures are regularly increased.

Voluntary and Community Sector Funding

Mr McCartney asked the Minister for Social Development to detail whether or not all funding provided by her department to the voluntary and community sector is guided solely by objective need. (AQW 1026/08)

Ms Ritchie: As Minister for Social Development I am committed to tackling poverty and disadvantage and building communities right across Northern Ireland. All funding allocated by my department to the voluntary and community sector is subject to appraisal in line with Treasury guidance, this includes objective assessment of need.

Comprehensive Spending Review

Ms Ní Chuilín asked the Minister for Social Development to detail what arrangements her department has put in place to resource the Bamford Review and Investment for Health Strategies. (AQW 1047/08)

Ms Ritchie: The decisions on the Comprehensive Spending Review 2007 have not yet been finalised.

Housing Executive

Mr F McCann asked the Minister for Social Development to detail whether or not the Northern Ireland Housing Executive will remain the principal housing body, in relation to the management and delivery of social housing. (AQW 1064/08)

Ms Ritchie: At present I have no plans to make any changes to the current arrangements.

Housing Selection Scheme

Mr F McCann asked the Minister for Social Development what is her assessment of the housing selection scheme, in relation to the allocation of houses in areas of high demand; and to outline whether or not she intends to review this policy, in line with the commitment made by direct rule Ministers. (AQW 1065/08)

Ms Ritchie: The Common Selection Scheme is based on the fundamental principle that assessment and prioritisation of applicants and allocation of accommodation are undertaken on the basis of greatest housing need. It is also underpinned by the principles of fairness, equity and openness. The Scheme is considered to be more objective and sensitive to individual needs than its predecessor, measuring the

competing needs of applicants and their varying characteristics more sensitively.

The Scheme provides for an assessment of housing need on an equitable basis throughout Northern Ireland. Through recognising a wide range of housing circumstances the Scheme aims to ensure that those in the greatest overall housing need are housed first.

While the general view is that the Scheme meets its objectives and is regarded as fulfilling its function well, whether in areas of high or low demand, it is acknowledged that there are supply / demand issues in certain areas. Given that the waiting list of applicants assessed in accordance with the Selection Scheme is in essence a “queuing list” for a decreasing number of houses becoming available, it is inevitable that some will get housed more quickly than others and applicants who choose to queue for such high-demand areas are, as a consequence of exercising this choice and supply / demand imbalances, likely to wait a disproportionate length of time for rehousing.

This is one of a number of issues which has been the focus of research over the last few months into Social Housing Need and Access. This research has looked at a number of issues, including the need to review of a number of aspects of the Common Selection Scheme and other models of meeting housing need. The research report is currently being finalised. This may well result in changes to the Common Housing Selection Scheme.

Housing Executive Waiting List

Mr McLaughlin asked the Minister for Social Development to detail the number of people (i) currently on the Northern Ireland Housing Executive waiting list; and (ii) who are deemed to be homeless, in South Antrim. (AQW 1123/08)

Ms Ritchie: At 31 March 2007 the total waiting list figure for South Antrim was 2,557 of which 763 had Full Duty Applicant status.

Vacant Residential Properties

Mr McLaughlin asked the Minister for Social Development to detail the number of vacant residential properties in the South Antrim constituency, broken down by electoral ward. (AQW 1124/08)

Ms Ritchie: The information is not available in the format requested. Information compiled from Rates Collection Agency and Housing Executive records shows 2,285 vacant Northern Ireland Housing Executive and private residential properties in the Antrim and Newtownabbey District Council areas at

September 2006. The data is not available at electoral ward level.

Vacant Residential Properties

Mr McLaughlin asked the Minister for Social Development to outline how she intends to bring vacant residential properties in the South Antrim constituency into productive use, in order to tackle the housing problems in this area. (AQW 1125/08)

Ms Ritchie: An Empty Homes Team is currently developing an appropriate strategy to address vacant properties across all tenures. Further work is required to determine both the location and suitability of these dwellings in order to bring them back into use. I have asked the Northern Ireland Housing Executive to let me have a report into Empty Homes as quickly as possible.

Conflict Transformation Initiative

Mr McNarry asked the Minister for Social Development to detail what elements were contractually and legally binding within the Community Transformation Initiative, which directly linked Ulster Defence Association decommissioning to funding by her department. (AQW 1126/08)

Ms Ritchie: The contract with regard to the Conflict Transformation Initiative states that “Any evidence that there is not a sustained reduction in the level of paramilitary activity and anti-social behaviour associated with paramilitary in the target areas may be considered as indicative that the project is not pursuing its identified outcomes.”

Conflict Transformation Initiative

Mr McNarry asked the Minister for Social Development to detail the precise time at which her officials took action regarding her announcement, made in the Assembly on Tuesday 16 October 2007, regarding the Community Transformation Initiative; and the precise time at which her instructions were officially issued to the managing agents of the project. (AQW 1128/08)

Ms Ritchie: My officials spoke with a representative of Farset Youth & Community Ltd on Tuesday 16 October between 4.00-5.00pm to confirm the content of my announcement to the Assembly. A termination notice is currently being prepared and will be sent to Farset Youth & Community Ltd in due course.

Conflict Transformation Initiative

Mr McNarry asked the Minister for Social Development to detail the exact costs of winding up the Community Transformation Initiative, in accordance with her instructions, or, if unable to give exact costs, to detail the estimated costs; and to give a breakdown of these estimations. (AQW 1130/08)

Ms Ritchie: I am not in a position to give exact costs of the termination of the project at this time. I can confirm the estimated normal project costs for one month are in the region of £37,000.

I understand that Farset Youth & Community Ltd will seek some additional costs that they claim they have incurred in establishing this project. I have no information on what these costs are likely to be.

Actual costs will be dependent on the terms of the termination of contract which is still being finalised.

Former Military Sites

Mr McElduff asked the Minister for Social Development to provide details on the former military sites that have been nominated for transfer to the Executive. (AQW 1179/08)

Ms Ritchie: The Executive has approached the British Government in relation to the free transfer of all remaining redundant military sites. DSD has already had to purchase a number of such sites at full market cost and is currently in the process of so doing in relation to the Grosvenor site in Enniskillen for a mixed tenure housing scheme.

DSD is also currently working to explore possible acquisition of the St Lucia and Lisanelly sites in Omagh and the St Patricks site in Ballymena and is acting on behalf of Department of Agriculture and Rural Development in respect of acquisition of the Forkhill site in Armagh.

Acquisition of Lisanelly Barracks and St Patricks barracks would be the subject of Executive approval because of the very substantial sums involved and the fact that DSD is facilitating a range of possible uses by other Government Departments. The process would obviously be greatly facilitated should these redundant military sites be gifted to the Northern Ireland Executive by the British Government, as has been requested.

ASSEMBLY COMMISSION

Assembly Research and Library Service

Mr McKay asked the Assembly Commission if the Assembly Research and Library Service has adequate staffing levels to deal with its workload.

(AQW 952/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): The Assembly Research and Library Service has recently appointed 14 researchers from the Brook Street Employment Agency to cover vacancies created by temporary promotions and transfers to other areas of Assembly business that were required to ensure Assembly readiness for restoration. Researcher vacancies also arose due to staff resigning posts over the 4 and a half year suspension period. The agency researchers have shown themselves able to deal with the Assembly's current workload though three vacancies remain in the fields of agriculture / rural development, geographical information systems and statistics. Efforts continue to locate staff in these fields and further appointments are expected soon.

Open recruitment to appoint permanent research staff is set as a high priority and will be initiated once the current temporary hold on recruitment is lifted.

Over the suspension period the Service lost proportionally more librarians than it did researchers. Since specific professional qualifications in information management are required for library posts the agency route has not proven to be as successful. The Service is seeking to use the Interchange scheme to temporarily fill vacancies until such time as open recruitment can occur. In the interim, the current library team has prioritized customer facing work and has the support of an administrative support team to carry out this function. Hence, short-term library workloads are being dealt with satisfactorily while longer term initiatives are underway to ensure full staffing within the Service.

Tree Planting Initiatives

Mr Cree asked the Assembly Commission what plans it has to engage in further tree planting initiatives in the grounds of the Stormont estate, in order to support the Woodland Trust in its 'Tree Planting for All' campaign.

(AQW 1117/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): Tree planting within the Stormont Estate is the responsibility of the Department of Finance and Personnel, who manage the grounds. The Assembly Commission is assured

however, that tree planting forms an integral part of their operations and is regularly monitored and reviewed by the Estate Management Unit.

With the Estate moving towards biodiversity and sustainability targets, Estate Management Unit has begun a programme of propagating native plants from seeds taken within the estate in an effort to become self sufficient.

Renewable Energy Sources

Mr Cree asked the Assembly Commission to detail whether or not it has carried out an environmental feasibility study to introduce renewable energy sources, as a means of generating power for Parliament Buildings.

(AQW 1118/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): The Assembly Commission is committed to adopting a proactive approach to energy management in Parliament Buildings and Annexe C and as such has established links with the Public Sector Energy Committee (PSEC) and Carbon Trust to take this forward. As recently as Friday 19th October secretariat staff attended an energy training course run by PSEC to be kept abreast of the most up to date policies and strategies.

The Commission is in the process of preparing a bid to identify potential projects within Parliament Buildings that could receive funding from the Central Energy efficiency Fund, which supports projects which will advance energy management in public sector buildings.

- A feasibility study was carried out to ascertain if biomass boilers could be installed within the Stormont estate however it was determined that it would not be suitable for Parliament Buildings.
- The Commission is currently undertaking an environmental audit which will include the following:
- current environmental management at Parliament Buildings (including inter alia recycling, procurement, energy usage);
- a desk-study examining examples of best practise for 'greening' public buildings of this type, especially listed buildings;
- recommendations for progressing these ideas towards implementation;
- new Parliaments' buildings and the measures that they have built in; and
- examples of environmentally enhancing/beneficial features that have been built in to public buildings and non governmental buildings, listed and otherwise.

Following this the Commission will look at implementing the findings from the report.

NORTHERN IRELAND ASSEMBLY

Friday 2 November 2007

Written Answers to Questions

OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

Consultancy Expenditure

Mr Savage asked the Office of the First Minister and deputy First Minister to detail the department's expenditure on consultancy; and to provide a breakdown of this expenditure, for the last year. (AQW 1164/08)

The First Minister and deputy First Minister (Rev Dr Ian Paisley and Mr M McGuinness): During the last financial year (2006/07), the Department's expenditure on external consultants amounted to £1.193 million. A breakdown of this expenditure is detailed below.

BREAKDOWN OF CONSULTANCY SPEND 2006/07

Category	Amount (£m)
policy appraisal and review	0.158
strategic management	0.811
organisational development	0.072
quality accreditation	0.008
projects	0.024
surveys	0.010
market research	0.046
Other	0.064
Total	1.193

AGRICULTURE AND RURAL DEVELOPMENT

Animal Welfare

Mr B Wilson asked the Minister of Agriculture and Rural Development to detail whether or not she

proposes to update the Welfare of Animals Act (Northern Ireland) 1972, in line with the Animal Welfare Act 2006 in England and Wales; and if this new legislation will include the 'five freedoms'.

(AQW 1006/08)

The Minister of Agriculture and Rural Development (Ms Gildernew): The Department consulted on proposals for new animal welfare legislation in late 2006. I have asked my officials to finalise a report which will summarise the outcome of the responses to the consultation, after which I will decide what new legislation is required.

The Department of Agriculture, Fisheries and Food (DAFF) in the South are currently considering updating their animal welfare legislation. I believe that it is important that we take similar approaches to dealing with animal welfare abuses on the island of Ireland and I have asked that my officials liaise closely with their counterparts in DAFF. The summary of the responses to the 2006 consultation will therefore also reflect on the position in the South.

While the specific provisions in any new legislation will depend on detailed deliberation of the consultation responses, the 'five freedoms' will inform my considerations.

Carbon Footprint

Mr W Clarke asked the Minister of Agriculture and Rural Development what plans she has to assist research into the carbon footprint of Northern Ireland's farming systems. (AQW 1039/08)

Ms Gildernew: Research by the Agri-Food & Biosciences Institute (AFBI) into proactive and innovative ways to lower greenhouse gas emissions from farming is ongoing.

DARD is also engaged with counterparts in Britain on research into carbon efficient farming systems and the development of a standard method for measuring the carbon emissions of agricultural products.

The Environment and Renewable Energy Centre at AFBI is researching a number of renewable energy technologies, including short rotation willow coppice and anaerobic digestion of farm waste, which will assist in reducing the carbon footprint of farming systems.

Carbon Footprint

Mr W Clarke asked the Minister of Agriculture and Rural Development what is her assessment of the potential advantages of showing Northern Ireland's farming systems to be carbon efficient, in assisting the marketing of agricultural products; and, if so, to detail how she would maximise this benefit. (AQW 1040/08)

Ms Gildernew: Evidence for the carbon efficiency of local farming systems would help reinforce the ‘branding’ of agriculture here as ‘clean and green.’

My Department would support efforts by the agri-food sector to exploit this brand through measures under Axis 1 of the Northern Ireland Rural Development Programme 2007-13 (the ‘NIRDP’).

DARD is engaged with counterparts in England, Scotland and Wales on a strategy for the sustainability of food production and consumption. Until this work has been taken further the carbon efficiencies of the local farming systems cannot be assumed.

Farmers Affected by Flooding

Mr O’Loan asked the Minister of Agriculture and Rural Development, pursuant to her answer to AQW 532/08, what action she has taken to source compensation for farmers affected by flooding in the Glens of Antrim in July 2007; and to detail the progress she has made on this issue, to date. (AQW 1100/08)

Ms Gildernew: I have directed farmers like other householders to the Scheme of Emergency Financial Assistance to District Councils which is administered by the Department of Environment. There is no other assistance available from the Executive.

Food Security

Mr Savage asked the Minister of Agriculture and Rural Development what steps her department is taking to ensure food security in Northern Ireland. (AQW 1114/08)

Ms Gildernew: Future food security is a very important issue and I wish to advise that appropriate contingency planning on this matter is handled by Defra in consultation with my Department and the Agriculture Departments in Scotland and Wales. However, as the agri-food industry in the North is heavily dependant on external sales the issue of food security is unlikely to pose a local problem. I can also assure you that I am committed to the continued development of a sustainable local agri-food industry which has the capacity to produce more than enough food for the local population.

Pomeroy Business Park

Mr Elliott asked the Minister of Agriculture and Rural Development to detail her department’s involvement in the development of Pomeroy Business Park, located in Pomeroy forest; and what is the current stage of development of this project. (AQW 1252/08)

Ms Gildernew: My Department has recently agreed to the disposal of 0.9 hectares of land at Pomeroy Forest in County Tyrone to Pomeroy Community Developments for the purposes of an Enterprise Park. The Department has recently issued instructions to the Departmental Solicitors Office to prepare the legal documentation. Harvesting of the timber and development of this site will commence once the legal framework is in place and the required fees have been received.

CULTURE, ARTS AND LEISURE

Community Festivals Fund

Mr O’Loan asked the Minister of Culture, Arts and Leisure to detail the support provided by his department in relation to sustaining community festivals and events, other than that provided by the Community Festivals Fund. (AQW 986/08)

The Minister of Culture, Arts and Leisure (Mr Poots): The table below details the support provided by my Department for community festivals and events, other than from the Community Festivals Fund since the introduction of the Community Festivals fund in April 2006:

Source	Festival	Amount awarded
DCAL (Transitional Funding)	Féile an Phobail	£130,000
	Ardoyne Fleadh	£31,000
	Greater New Lodge Festival	£33,500
Foras na Gaelige	Spraioi (Fun)	£2,371
	Camlough Festival	£1,000
	Derry Festival	£995
	Feile an Phobail	£15,000
Arts Council	Glasgowbury	£29,219
	Celtic Fusion	£52,000
	Fairhead Folk Festival	£6,900
Northern Ireland Events Company	Nashville Songwriters Festival	£15,000
	Blues on the Bay Festival	£10,000

EDUCATION

School Repairs

Mr Moutray asked the Minister of Education, pursuant to her answer to AQW 69/08, what steps she

has taken to make savings on the amount of her department's budget that is spent on repairs to schools. (AQW 483/08)

The Minister of Education (Ms Ruane): Expenditure on repairs is made in response to building deficiencies identified by the school authorities and which need to be addressed, for example for reasons of safety. It is important that best use is made of all the funding available to improve the schools' estate and in that regard the work underway to improve the planning of the estate, and improve the procurement of school projects should lead to greater efficiency in addressing infrastructure deficiencies.

Derryboye Primary School Car Park

Mr Hamilton asked the Minister of Education to provide an update on the construction of a car park at Derryboye Primary School; and to give an expected completion date for the project. (AQW 644/08)

Ms Ruane: The South Eastern Education and Library Board is responsible for this project and it expects it to commence before the end of this financial year. The Board will advise you of the completion date as soon as it is known.

Autistic Spectrum Disorders Programmes

Mr Gallagher asked the Minister of Education to detail, for each Education and Library Board for the five financial years prior to 31 March 2006, the number of applications received for after-school Autistic Spectrum Disorders programmes; the number of those applications approved by each Board; and the number of applications awarded by tribunal. (AQW 770/08)

Ms Ruane: I am advised by the Chief Executive Officers of the Education and Library Boards as follows;

Financial Years 2001/2002 – 2005/06	Number of applications	Number of applications approved	Number awarded by tribunal
Belfast	20	8	0
North Eastern	0	0	0
South Eastern	0	0	0
Southern	0	0	0
Western	4	3	0
Total	24	11	0

Autistic Spectrum Disorder

Mr McCallister asked the Minister of Education, pursuant to her answer to AQW 29/08, to detail which

of the organisations invited to the two stakeholder consultations, in August and September 2007, attended one or both of these meetings. (AQW 778/08)

Ms Ruane: The following organisations, including those with expertise in the area of autism attended one or other of the two building stakeholder consultation meetings held in Middletown in August and September 2007: Abbey Vocational School; Appleby Trust; Autism Initiatives; Autism NI (PAPA); Buncrana College Vocational Education Committee; Camphill Community Glencraig; County Donegal Vocational Education Committee; Irish Autism Action; Irish Society for Autism; Knappagh Presbyterian Church; Middletown Presbyterian Church; National Parents Council – Primary; Southern Education and Library Board; Western Education and Library Board.

Autistic Spectrum Disorder

Mr McCallister asked the Minister of Education, pursuant to her answer to AQW 29/08, to detail whether or not any initial consultations with established universities, teacher training colleges, or university medical schools in Northern Ireland and the Republic of Ireland, or with the Department of Education and Science in the Republic of Ireland, took place, prior to the decision to acquire and site a centre of excellence for autism at Middletown. (AQW 779/08)

Ms Ruane: Officials within the Department consulted with their counterparts in the Department of Education and Science (DES) prior to the decision made in April 2002 to acquire and site a centre of excellence for autism at the property in Middletown. I am unable to confirm whether or not there were consultations with universities, teacher training colleges or university medical schools in the North or the South. My answer to AQW 778/08 refers to consultations with statutory providers carried out in December 2002.

School Repairs

Mr G Robinson asked the Minister of Education to detail her department's expenditure on school repairs in the East Derry/Londonderry constituency, in each of the last five years. (AQW 859/08)

Ms Ruane: The expenditure information available does not distinguish between maintenance and repairs. Details of expenditure on maintenance and repairs on schools in the East Derry constituency, in each of the last five years, is as follows:

2002/03	£674,000
2003/04	£1,179,000

2004/05	£957,000
2005/06	£718,000
2006/07	£825,000

School Bus Seatbelts

Mr McKay asked the Minister of Education to detail the number of primary school buses in North Antrim that have been fitted with seatbelts; and to list the schools and areas that are serviced by these buses. (AQW 918/08)

Ms Ruane: In total, 44 buses serving North Antrim primary schools have seatbelts fitted. The North-Eastern Education and Library Board has advised that the following primary schools in the North Antrim area are serviced by buses with seatbelts fitted:

School	Areas Covered	No. of Buses
Moorfields PS	Racavan/Rathkeel/Glenhead/Speerstown/Kells/Whappstown/Connor/Craigstown/Tully/Moorfields	2
Kells & Connor PS	Steeple/Lislunna/Parkgate/Carncome/Doagh Rd	1
Broughshane PS	Tullymore/Elginy/Longmore/Knockan/Ballyloughan/Knowehead/Ballylig/Quille/Cloneytrace	1
Dunseverick PS	Ballintoy/Portballintrae/Causeway/Ballaghmore/Lagavara/Craigalappin/Whitepark/Straid/Dunseverick/Moycraig/Toberkeigh/Larrybane	1
Braidside Integrated PS	Ballymena/Munie/Broughshane/Carniny/Ahoghill/Cullybackey/Martinstown	7*
Knockhollett PS	Ballyveely/Ballyweaney/Kilmandil/Loughabin/Knockmore/Crosstagherty/Tober/Frocess/Ballyportery	1
Rasharkin PS/St Patrick's PS, Rasharkin & Carrowreagh PS	Carclinty/Aghill/Portna/Bann/Drumack/Tamlaght/Lisnahuncheon/Finvoy/Craigs/Mullan/Rosnashane/Lisheeghan/Townhill/Donnelly Park/Vow/Gortgole/Doneyshiel/Gortahar/Glenbuck/Bridge/Station/Duneaney/Slaght/Slievenagh/Tullaghans	4
St Brigid's PS, Cloughmills & Clough PS	Ballinaloob/Kilmandil/Ballyveeley/Rosedemott/Lislabin/Old Frocess/Springmount/DouryRd/Ballycragh/Cloughwater/Drumfin/Loughmagarry/Carnlea/Crankill/Cladytown/Ballyboge/Moneyduff/Frocess	3*
St Patrick's PS, Loughguile & St Anne's PS	Tober/Kilraughts/Pharis/Ballyweaney/Kilraughts/Fernbank/Bregha/Altnarichard/Shelton/Altnahinch/Coolkeeran/Magherahoney/Knockard	2
Gracehill PS & Carnaghts PS	Nursery Rd/Slatt/Marlow X/Rankinstown/Ballycowan	1

School	Areas Covered	No. of Buses
Glenravel PS	Carncoagh/Lisnacrouther/Limavallaghan/Tullykittagh/Skerry/Crommelin Hill/Riverlea/Drumagrove	1
Barnish PS	Torr/Ballyvennaught/Craigfad/Fairhead/Watertop/C'dall Rd/Glenmakeeran/Churchfield/Glenshesk/Careymill	1
Hazelbank PS (pm only)	Aghnadore/Douglas/Lisnamurrican/B'gelly/Clough/Longmore	1
St Colmcilles PS	Ballymean/Lisnahilt/Tully/Craigadoo/Moorfields Kells/Deerfin/Rankinstown	2
St Brigid's PS, Ballymoney	Armoy/Ballymoney/Corkey/Taughey/Rosnashane/Loughguile/Dunloy	3
Gracehill PS	Gracehill/Ballymontenagh/Nursery Rd/Caddy/Sourhill	1
Ballymoney PS	Ballymoney	1
St Anne's PS, Corkey	Corkey/Loughguile/Cloughmills/Armoy	1
St Ciaran's PS	Clady/Knocknacarry/Torr/Tromra	1
Longstone PS, St Patrick's & St Joseph's PS, Ahoghill	Gillistown/Mount Hilary/Ballybollen/Clooney/Culnafey/Crosskeys/Carmegrim/Grange/Priestown/Cranearney/Glebe/Casheltown/Kilcurry	2
Buick Memorial PS	Killagan/Glenvale/Killycowan/Bridge/Caldytown/Shellinghill	1
The Diamond PS	Garvaghy/Ballynafie/Priestown	1
Bushvalley PS	Altarichard/Knockmore/Moyarget/Mosside/Moycraig/Drumaheigh/Ballinlea/Lisnagat/Kilmahamogue/Islandboy	1
St Joseph's PS, Dunloy	Bridge/Mallaboy/Galdanagh/Mullans/Dunloy/Tullaghans/Loughabin/Glenbuck/Killagin/Anticur/Frocess/Duneaney/Rosnashane	1

* Figure includes one vehicle fitted with seatbelts on exposed seats only

In addition to the vehicles listed above, Translink also operates 3 fully seatbelted 53 seater buses in the North Antrim area. As is the nature with Translink vehicles, it is not always the same vehicle servicing an individual school, however, it has advised that one of the fully seatbelted vehicles operates out of the Ballycastle depot while the other two operate out of the Ballymena depot.

Derryboye Primary School Car Park

Mr Shannon asked the Minister of Education to detail the commencement and completion dates for the provision of a new car park for Derryboye Primary School. (AQW 932/08)

Ms Ruane: The South Eastern Education and Library Board is responsible for this project and it expects it to commence before the end of this financial year. The Board will advise you of the completion date as soon as it is known.

Comhairle na Gaelscolaíochta

Mr McCausland asked the Minister of Education to detail the board members of Comhairle na Gaelscolaíochta; and the organisation that nominated each member. (AQW 947/08)

Ms Ruane: The membership of the Board of Comhairle na Gaelscolaíochta (CnaG) is as follows:

Nominee	Nominated By
Padaí Ó Ceallaigh	CnaG Board
Caoimhín Ó Peatáin	CnaG Board
Brian P Gaffney	CnaG Board
Vacancy	Gaeloiliúint
Paul O'Doherty	Council for Catholic Maintained Schools
Micheál Ó Máirtín	Universities Council for the Education of Teachers
Brendan Henry	Association of Education and Library Boards
Aodán Mac Póilin	Department of Education
Gabrielle Nig Uidhir	Department of Education
Áine Andrews	Altram
Gearóid MacSiacais	Foras na Gaeilge
Janet Muller	Pobal
Micheál Mac Aodha	Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta
Labhras Ó Ciaráin	Gaeleagras um Shainriachtanas Oideachais
John Morgan D'Arcy	Association of Northern Ireland Colleges
Vacancy	Irish-medium Schools
Éilís Uí Néill	Irish-medium Schools
Vacancy	Irish-medium Schools
Aedin Ní Ghadhra	Irish-medium Schools
Dara Woods	Irish-medium Schools
Marion Dorman	Irish-medium Schools
Vacancy	Irish-medium Schools

Budget Underspend

Mr Savage asked the Minister of Education to detail her department's projected underspend for this financial year. (AQW 962/08)

Ms Ruane: Present forecasts indicate that the Department of Education's resource expenditure budgets will be fully utilised in the current financial year.

The Department is currently reviewing the position in relation to spending on the capital investment programme to ensure that spending is maximised. The Department will continue to monitor the position on both budgets closely.

Sports Coaches in Schools

Mr O'Loan asked the Minister of Education to detail whether or not the funding for sports coaches in schools will be available to all schools in Northern Ireland; and to give a timescale for the full implementation of the scheme. (AQW 987/08)

Ms Ruane: Funding is being provided for 40 coaches to enable the GAA and IFA to provide 20 coaches each to work with a range of primary schools to support the development of children's physical literacy skills, and to support teachers in delivering the PE curriculum. It will be a matter for primary schools to opt in to the programme, which will aim to support those dealing with greatest levels of disadvantage if oversubscribed.

The GAA has its coaches in place and the IFA will be recruiting shortly so that we have coaches working in schools from January.

Education and Skills Authority

Mr Savage asked the Minister of Education to detail the amount spent by her department, to date, on establishing the Education and Skills Authority, including the appointment of staff and the paying of salaries. (AQW 992/08)

Ms Ruane: The total amount spent by the Department of Education on establishing the Education and Skills Authority is £896,576.29. The following table itemises the expenditure:

Area of expenditure	Amount
Cost of advertising and recruitment for the post of Chief Executive Designate, Education and Skills Authority	£28,314.09
Salaries of staff who work in the Education and Skills Authority Implementation Team (ESAIT)	£521,513.53
Other Expenditure	£346,748.67
Total expenditure to date (since July 2006)	£896,576.29

Education and Skills Authority

Mr Savage asked the Minister of Education to detail the number of officers who have been appointed to the Education and Skills Authority. (AQW 993/08)

Ms Ruane: The Education and Skills Authority (ESA) has not yet been established. However, on 1 February 2007 the Chief Executive (Designate) of ESA was appointed, initially to the Department of Education and subsequently, subject to Parliamentary approval of the necessary legislation to establish ESA, as Chief Executive of ESA.

Education and Skills Authority

Mr Savage asked the Minister of Education to detail the work that will be undertaken by the officers appointed to the Education and Skills Authority, taking into account that this body will not become operational until April 2010. (AQW 996/08)

Ms Ruane: It is my intention that the Education and Skills Authority (ESA) will be operational by April 2009 at the latest. No officers have been appointed to the ESA at this stage.

The ESA Implementation Team (ESAIT), which includes staff from 7 of the RPA affected education organisations, is supporting the Chief Executive (Designate) in establishing the ESA. They are taking forward the planning and developmental work including HR, ICT, Finance and Accounting, Organisational Design and Communications, necessary to ensure ESA will function effectively from the date of establishment. I have also asked the CE (Designate) to develop and lead a Convergence Programme, involving the existing education organisations, to ensure a smooth transition to the new arrangements.

Review of Public Administration

Mr Savage asked the Minister of Education to detail the number of officials involved in conducting the equality impact assessment of the recommendations of the Review of Public Administration and the establishment of the Education and Skills Authority; and the cost to her department in terms of (i) salaries; (ii) travel/subsistence; and (iii) secretariat services. (AQW 1054/08)

Ms Ruane: Consideration of equality is an integral part of policy development and staff throughout my Department have been involved on an ongoing basis in the assessment of proposals for the Review of Public Administration. This is part of the normal duties of those staff, and separate information on the costs of this particular work is not held by my Department.

Post-Primary Education

Mr Storey asked the Minister of Education, pursuant to her answer to AQO 405/08, to detail what would be included in a broader view of post-primary education. (AQW 1098/08)

Ms Ruane: The phrase “a broader view of post-primary education” reflects the fact that the development of a replacement system of transfer is a complex matter that requires the consideration of several factors, including the impact of demographic decline on school enrolment, structural changes arising from the review of public administration, the gradual move towards an area-based planning approach for schools, the implementation of the revised curriculum and, in particular, movement towards the entitlement framework, all of which must help children to access, on a fair and equal basis, a high-quality post-primary education.

Education and Skills Authority

Mr Storey asked the Minister of Education to detail the duties, functions, assets, liabilities and staff that will not be transferred from the Council for Catholic Maintained Schools to the Education and Skills Authority. (AQW 1138/08)

Ms Ruane: Legislation will be brought forward to transfer all of the statutory functions and duties of the Council for Catholic Maintained Schools to the Education and Skills Authority (ESA) with the exception of:

- preparing schemes of management and schemes of appointment for Catholic maintained schools, in accordance with guidance set by the Department of Education; and
- responding to formal consultation on development proposals affecting Catholic maintained schools.

These functions will transfer to the trustees of Catholic maintained schools.

Details of the transfer of assets, liabilities and staff are under consideration, and have not yet been finalised. All assets and liabilities of the organisation will transfer to the ESA, other than assets that belong to the Catholic church. All teaching staff and other staff employed by the Council who are engaged wholly or mainly in the provision of front-line support services will transfer to the ESA.

Review of Irish-Medium Education

Mr D Bradley asked the Minister of Education to detail the progress made to date on the Review of Irish-Medium Education. (AQW 1149/08)

Ms Ruane: The Review of Irish-medium education is progressing well and it is expected to report shortly. This is a longer timescale than initially expected but is necessary so that the wide range of issues covered are fully considered. It is therefore important that this is done correctly rather than quickly.

The initial phase of the Review concentrated on gathering and quality-assuring factual information and evidence to determine the current situation in Irish-medium education and to identify all the issues which need to be addressed.

We are now entering the final phase of the Review when options are being identified to address the challenges. The outcomes of the Review will help inform future policy for the provision of IM Education.

EMPLOYMENT AND LEARNING

Training for Success Apprenticeship

Ms Anderson asked the Minister for Employment and Learning to detail how the Training for Success apprenticeship programme helps to meet the needs of the economy and young people, when the majority of apprentice training programmes are no longer available in Derry/Londonderry, an area of high unemployment. (AQW 1238/08)

The Minister for Employment and Learning (Sir Reg Empey): In response to approaches from public representatives, the Department has commissioned a report to understand the demographics of apprenticeship training within the North West area and the underlying causes for trends over the past ten years, as well as how these trends might change over the next five to ten years. This report has not yet been completed, but I would be happy to forward you a copy once it has been finalised. Early indications from the report suggest that trends in Derry/Londonderry generally mirror the same trends throughout the rest of Northern Ireland, with an increase in apprenticeships, although the uptake of some occupational areas has seen some decline over recent years.

Whilst it would appear that recruitment to apprenticeship programmes in Derry/Londonderry has not been as high in other parts of Northern Ireland, there continues to be strong Further Education provision in the city, on which occupancy appears to be consistently high.

Training for Success nevertheless provides a range of professional and technical training opportunities, as well as access to industry-led qualifications in the skills areas that industry needs. Furthermore, the

Job-Ready strand provides young people with the tools, skills, and basic qualifications required to gain employment. For this provision to be successful, and for Northern Ireland's economy and industry growth to benefit, industry itself must continue to invest in the training of its employees, and I consider that Training for Success provides an ideal vehicle for this.

Apprenticeships

Mr O'Dowd asked the Minister for Employment and Learning what steps he is taking to ensure that the down turn in the building trade does not result in the loss of apprenticeships, particularly in relation to people in the final year of their apprenticeship.

(AQW 1290/08)

Sir Reg Empey: Under the Department's *Training for Success* provision, apprenticeship training provides a range of professional and technical training opportunities. I would maintain that employers should want to invest in their businesses through employing apprentices, in order to develop the skills that they need to grow and to make them more competitive and profitable. To encourage this, therefore, the Department has ensured a direct financial incentive within the funding framework of this provision, for employers who take on apprentices.

I appreciate, however, that this provision is dependent on prevailing economic conditions and the consequent capacity of employers to accommodate apprenticeships. The Department has therefore been working closely with representatives from the construction industry to try and ensure that the provision, as far as possible, meets the industry's immediate needs.

I also consider that the provision is sufficiently flexible, to allow apprentices to complete the provision with an alternative employer, should the unfortunate case arise where an employer is no longer able to continue to facilitate an apprenticeship.

ENTERPRISE, TRADE AND INVESTMENT

Budget Underspend

Mr Savage asked the Minister of Enterprise, Trade and Investment to detail his department's projected underspend for this financial year. (AQW 963/08)

The Minister of Enterprise, Trade and Investment (Mr Dodds): DETI does not project an underspend at this point in the financial year. In-year Monitoring rounds provide opportunities for budgets to be adjusted

in the light of emerging pressures and reduced requirements. The final projected expenditure will be established at February 2008 Monitoring.

Tourism

Mr W Clarke asked the Minister of Enterprise, Trade and Investment what steps he has taken to ensure better communication between Tourism Ireland, the Northern Ireland Tourist Board and the Regional Tourism Partnerships. (AQW 1036/08)

Mr Dodds: My Department continues to play a key role in ensuring that communication channels between the Northern Ireland Tourist Board (NITB), Tourism Ireland Limited (TIL) and the Regional Tourism Partnerships (RTPs) operate effectively. Communications between NITB & TIL occur on a daily basis and both organisations are currently updating a Memorandum of Understanding which aims to further enhance co-operation and reduce duplication. In addition the NITB's relationship with the RTPs is based on regular contact and through a clearly defined relationship as set out in a Service Level Agreement.

Tourism-Related Budgets

Mr W Clarke asked the Minister of Enterprise, Trade and Investment what steps he is taking to ensure that there is better co-ordination and more efficient use of funds between the respective Government departments that hold tourism-related budgets. (AQW 1038/08)

Mr Dodds: The Department of Enterprise, Trade and Investment (DETI) is responsible for tourism policy and legislation. Due to the very diverse nature of tourism, a number of other Departments are also involved in supporting the tourism sector.

The priorities for tourism are set out in the tourism Strategic Framework for Action (SFA) which is currently being evaluated by a Steering Group led by DETI and the Northern Ireland Tourist Board. The SFA was agreed with all those Departments which have budgets for supporting the sector. The evaluation of the SFA will include consideration of how co-ordination between Departments with tourism interests could be improved. DETI will take the lead in implementing recommendations arising from that evaluation.

New Hotels

Mr Shannon asked the Minister of Enterprise, Trade and Investment to detail the grants offered by the Northern Ireland Tourist Board for new hotels in Northern Ireland. (AQW 1141/08)

Mr Dodds: Responsibility for the provision of support to the tourism accommodation sector passed from the Northern Ireland Tourist Board to Invest NI at its inception in 2002.

From April 2002 to date Invest NI has made offers of assistance towards the development of three new hotels in Antrim, Enniskillen, and Craigavon totalling £4,488,428.

New Hotels

Mr Shannon asked the Minister of Enterprise, Trade and Investment to detail whether or not the Northern Ireland Tourist Board is continuing to operate a grant system for new hotels within a 10 mile radius of Belfast. (AQW 1142/08)

Mr Dodds: Responsibility for the provision of support to the tourism accommodation sector passed from the Northern Ireland Tourist Board to Invest NI at its establishment in 2002.

A moratorium on capital support for the development of new hotels and the extension or upgrading of existing hotels within a ten mile radius of Belfast city centre was introduced by NITB in 1997 and remains in place at this time.

The moratorium does have a number of specific exclusions and allows for the consideration of projects in areas on the periphery of the zone without an existing supply; in areas of New Targeting Social Need; or for hotel developments capable of generating their own supply from market sectors not serviced by existing hotels.

While capital support is not available, Invest NI may still consider developmental support for hotel projects in the moratorium zone.

Cosultancy Expenditure

Mr Savage asked the Minister of Enterprise, Trade and Investment to detail his department's expenditure on consultancy; and to provide a breakdown of this expenditure, for the last year.

(AQW 1167/08)

Mr Dodds: DETI's expenditure on external consultancy in 2006-07

Category	Amount (£'s)
1. policy appraisal and review	1,120,644
2. strategic management	114,799
3. organisational development	0
4. performance management	34,691

Category	Amount (£'s)
5. accountancy	0
6. audit	55,738
7. economic appraisal	16,355
8. internal audit	0
9. feasibility study	71,514
10. quality accreditation	0
11. investment appraisal	0
12. corporate governance	31,562
13. projects	88,037
14. surveys	0
15. marketing	60,418
16. market research	600
Other	0
Total	£1,594,358

Invest NI

Mr Doherty asked the Minister of Enterprise, Trade and Investment to detail the amount of funding Invest NI has allocated to businesses in the (i) Omagh District Council area; and (ii) the Strabane District Council area. (AQW 1178/08)

Mr Dodds: During the 5 year period ended March 2007 Invest NI offered assistance in support of business formation, expansion and development projects valued at:

- (i) £6.15 million within Omagh District Council area, and
- (ii) £12.76 million within Strabane District Council area.

Trading Partnerships

Mr Gardiner asked the Minister of Enterprise, Trade and Investment what consideration he has given to establishing a network of Northern Ireland agents in all major economies that might be identified as trading partners. (AQW 1228/08)

Mr Dodds: A strategic objective of Invest NI is to help new and existing exporters to compete successfully internationally and it provides a range of measures to achieve this including support services provided by trade advisers in key markets in Europe, North America, Middle East, India and China. Moreover, Northern Ireland businesses have access to the Commercial Departments of UK Diplomatic Posts in over 200 markets worldwide. They also can avail of

the trade advisory services provided by Enterprise Ireland's network of over 30 overseas offices.

The services Invest NI provides in overseas markets are kept under review to ensure that they are matched with those markets which offer local businesses the best trading opportunities.

ENVIRONMENT

Agricultural Planning Regulations

Mr T Clarke asked the Minister of the Environment what steps she is taking to reduce the amount of planning regulation facing the agricultural sector. (AQW 896/08)

The Minister of the Environment (Mrs Foster): I am currently bringing forward legislation to extend the period during which the agricultural sector may rely on extended permitted development rights for the building and excavation of slurry storage facilities needed to comply with action measures implementing the Nitrates Directive to 31 December 2008.

I also expect to bring forward legislation which, should it be necessary because of avian flu, will enable producers to carry out development required to bring birds under cover without applying for planning permission.

More generally, my Department is working with DARD to review all the relevant regulations applied across the agricultural sector with a view to simplifying compliance with them and reducing the costs to food producers.

Planning Applications

Mr K Robinson asked the Minister of the Environment to detail the number of planning applications for new housing units that have been (i) received; and (ii) approved by the Planning Service, in (a) Carrickfergus Borough Council area; (b) Larne Borough Council area; and (c) Newtownabbey Borough Council area, in each year since 2000. (AQW 999/08)

Mrs Foster: The numbers of applications for new and replacement single dwellings and housing developments received and approved in each of the council areas and in each year since 2000 are as shown in the attached tables.

**NUMBER OF NEW PLANNING APPLICATIONS RECEIVED
2000 TO 17/10/07**

Year	Carrickfergus		Larne		Newtownabbey	
	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments
2000	29	34	50	24	53	66
2001	27	31	44	18	41	60
2002	16	33	41	28	50	68
2003	23	24	69	40	70	79
2004	33	27	71	43	73	82
2005	27	39	85	50	48	84
2006	30	45	38	34	31	97
2007	12	74	30	53	32	97

**NUMBER OF NEW PLANNING APPROVALS ISSUED
2000 TO 17/10/07**

Year	Carrickfergus		Larne		Newtownabbey	
	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments
2000	18	32	24	10	30	24
2001	18	21	22	17	30	36
2002	11	26	22	13	32	43
2003	14	17	34	22	41	56
2004	14	19	41	22	39	57
2005	20	16	37	48	41	46
2006	26	36	32	23	27	58
2007	16	12	7	17	15	35

**NUMBER OF PLANNING APPLICATIONS RECEIVED FOR
REPLACEMENT DWELLINGS 2000 TO 17/10/07**

Year	Carrickfergus		Larne		Newtownabbey	
	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments
2000	10	0	33	0	12	0
2001	7	0	26	1	9	1
2002	12	0	30	1	10	1
2003	16	1	21	0	16	2

Year	Carrickfergus		Larne		Newtownabbey	
	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments
2004	13	0	29	2	17	0
2005	10	0	16	0	20	0
2006	5	1	23	2	10	1
2007	0	1	28	3	13	0

**NUMBER OF PLANNING APPLICATIONS APPROVED FOR
REPLACEMENT DWELLINGS 2000 TO 17/10/07**

Year	Carrickfergus		Larne		Newtownabbey	
	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments	Single Dwellings	Housing Developments
2000	3	0	18	0	7	0
2001	7	0	20	1	5	0
2002	5	0	21	0	9	1
2003	12	0	24	1	13	1
2004	15	1	28	2	9	2
2005	7	0	7	0	13	0
2006	5	0	13	0	9	0
2007	2	0	13	1	4	0

The figures have been extracted from a live dataset which is continuously updated and validated. They should therefore be regarded as indicative only at this point in time and should not be compared with any previous figures published by the Agency.

MOT Tests

Mr Hamilton asked the Minister of the Environment to detail the average waiting time for an MOT, in each of the vehicle testing centres in Northern Ireland.
(AQW 1045/08)

Mrs Foster: Details of the average waiting time for all test centres are included in the following table:

Test Centre	For week ending 20 October 2007	From 1 April -20 October 2007
	Average weekly waiting times in days	Average year to date waiting times in days
Armagh	14	14
Ballymena	17	22

Test Centre	For week ending 20 October 2007	From 1 April -20 October 2007
	Average weekly waiting times in days	Average year to date waiting times in days
Belfast	15	17
Coleraine	18	16
Cookstown	19	20
Craigavon	17	16
Downpatrick	23	17
Enniskillen	30	24
Larne	13	21
Lisburn	14	15
Londonderry	16	17
Mallusk	12	16
Newry	26	19
Newtownards	16	15
Omagh	15	16

Radioactive Waste

Mr B Wilson asked the Minister of the Environment if she will give immediate assurances that Northern Ireland will not host any sites for the long-term disposal of higher capacity radioactive waste, arising from nuclear facilities based in Great Britain. (AQW 1074/08)

Mrs Foster: The current 'Managing Radioactive Waste Safely' consultation seeks views on both the process by which government might implement proposals to deal with the UK's legacy of long-lived higher activity radioactive waste, and the process by which potential sites for disposal might be identified.

It would be inappropriate for me to make assurances that pre-empt the responses to the consultation, or any decisions that might subsequently be taken. However, I can clarify that at this time there are no plans to locate geological disposal facilities in Northern Ireland.

Radioactive Waste

Mr B Wilson asked the Minister of the Environment to detail the financial and resource contribution her department is making towards the consultation on proposals for the way in which a site will be chosen for the long-term disposal of higher capacity radioactive waste. (AQW 1075/08)

Mrs Foster: A Departmental official sits on the Implementation Planning Group (IPG) of the Managing Radioactive Waste Safely programme, participating in meetings on an approximately bi-monthly basis. In financial terms, the Department incurred minor administrative costs related to the development and distribution of the consultation document.

Radioactive Waste

Mr B Wilson asked the Minister of the Environment if she will explain the reasons why Northern Ireland's devolved administration is co-sponsoring the Defra consultation on proposals for the way in which a site will be chosen for the long-term disposal of higher capacity radioactive waste. (AQW 1076/08)

Mrs Foster: In October 2006, my Department accepted, in conjunction with the UK government and the Scottish and Welsh devolved administrations, the recommendations of the independent Committee on Radioactive Waste Management (CoRWM).

In June this year I agreed that my Department would also be a co-sponsor of the consultation 'Managing Radioactive Waste Safely – a framework for implementing geological disposal,' as it is an important step in implementing the recommendations made by CoRWM.

Giant's Causeway Visitors' Centre

Mr O'Loan asked the Minister of the Environment to detail whether or not her department has ceased to support the management plan for the Giant's Causeway, in which the Environment and Heritage Service is a partner, and which is predicated on the provision of a visitors' centre by the public sector, led by the Department of Enterprise, Trade and Investment. (AQW 1081/08)

Mrs Foster: The management plan for the Giant's Causeway and Causeway Coast World Heritage Site (WHS) was commissioned by EHS to meet UNESCO requirements and was published in 2005.

Although the WHS Management Plan was part of a Ministerial initiative which included a Tourism Masterplan for the Causeway Coast and Glens area and the international competition for new visitor facilities launched by DETI in 2005, it was not predicated on the provision of a visitor centre by the public sector.

My Department is fully committed to delivery of the management plan. A meeting of the WHS Management Group was postponed while the stakeholder meetings about the proposed private sector visitor centre are taking place. My officials will review this position after meetings have taken place with each of

the stakeholders and will convene the Management Group as soon as it is appropriate to do so.

Motorcycle Off-Road Tests

Mr McClarty asked the Minister of the Environment what plans she has to provide motorcycle off-road tests at the Coleraine Driver and Vehicle Testing Centre. (AQW 1083/08)

Mrs Foster: Based on a detailed assessment of the Coleraine Driver and Vehicle Test Centre it was considered, in the interest of health and safety, that there was insufficient space to ensure safe segregation from other traffic using the sites for vehicle and driving tests to accommodate an off-road motorcycle testing facility. Therefore there are no plans to introduce the test at the Coleraine centre.

The DVA Board has agreed that post implementation there will be an evaluation of the entire project and, subject to demand, further consideration will be given to testing locations and, if deemed necessary, DVA will endeavour to identify additional available sites.

Private Developments

Mr O'Dowd asked the Minister of the Environment to outline the laws governing management companies appointed by private developers to maintain 'common areas' in private developments; and what means of complaint householders have if they do not believe they are receiving value for money. (AQW 1101/08)

Mrs Foster: Developers who are required under current planning policy – PPS 8: Open Space, Sport & Outdoor Recreation - to provide areas of public open space in new housing are generally required to enter into a legal agreement (known as Article 40 Agreements) under the Planning (Northern Ireland) Order 1991 transferring ownership and responsibility for the open space to a management company supported by a charitable trust.

The management company may be funded through a levy on residents which would be clearly identified at the time of purchase. Any dispute about service standards and value for money is entirely a matter between residents and the management company.

Budget Underspend

Mr Savage asked the Minister of the Environment to detail her department's projected underspend for this financial year. (AQW 1113/08)

Mrs Foster: The In-year monitoring process provides a formal system for reviewing spending plans

and priorities set for the financial year in light of more up to date information.

In-year monitoring rounds are usually conducted at June, October, December and February and allow departments to surrender projected easements.

In view of the In-year monitoring process my department is not currently projecting an underspend for this financial year.

Consultancy Expenditure

Mr Savage asked the Minister of the Environment to detail his department's expenditure on consultancy; and to provide a breakdown of this expenditure, for the last year. (AQW 1163/08)

Mrs Foster: The table below gives details of my Department's expenditure on external consultancy for 2006-07 broken down into the categories defined by the Department of Finance and Personnel (DFP).

DEPARTMENT: ENVIRONMENT

Category	2006/07 Amount £
1. policy appraisal and review	107,791
2. strategic management	-
3. organisational development	28,195
4. performance management	-
5. accountancy	-
6. audit	-
7. economic appraisal	-
8. internal audit	-
9. feasibility study	-
10. quality accreditation	-
11. investment appraisal	-
12. corporate governance	-
13. projects	603,166
14. surveys	-
15. marketing	-
16. market research	-
Other	108,000
Total	847,152

Motor Homes

Mr Hamilton asked the Minister of the Environment to detail her department's strategy to better promote, and provide enhanced facilities for, motor homes in country parks. (AQW 1231/08)

Mrs Foster: The Department has no specific strategy relating to mobile homes in its country parks, but considers that the facilities provided for touring caravans by the concessionaire at its Castle Archdale Country Park are also fully satisfactory for mobile homes. Promotion of these is primarily down to the concessionaire. The Department has considered the possibility of providing touring caravan facilities at other country parks which it owns, but this is judged likely to be uneconomic. The Environment and Heritage Service policy statement on the management of its country parks can be accessed on <http://www.ehsni.gov.uk/cppolicymarch04.pdf>

The Department has no role in mobile home provision at local authority country parks.

Illegal Waste

Mr Gallagher asked the Minister of the Environment to detail (i) the authority in the Republic of Ireland, to which her department has applied for the removal of illegal waste at Slattinagh Garrison; (ii) the date of the application; (iii) the estimated cost of this work; (iv) the responses received from the authority; and (v) what is her assessment of whether or not it is expected that this application will be given favourable consideration. (AQW 1306/08)

Mrs Foster: The Department of the Environment applied on 7 August 2007 to Dublin City Council, the competent authority for all exports of waste from the Republic of Ireland, for the removal of the illegal waste at Slattinagh, Garrison. The cost of this work is very difficult to estimate before all the waste is removed from the site, however it is expected to be substantial. I understand that a response is expected this week from Dublin City Council on the production of a timetable for the repatriation of waste deposited at this site.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Suicide

Mr B Wilson asked the Minister of Health, Social Services and Public Safety what consideration he will give to meeting with industry representatives from the media and broadcast organisations, including online social networking and other internet-based platforms, with a view to drawing up voluntary guidelines on the coverage and portrayal of suicides and attempted suicides involving young people. (AQW 1003/08)

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): The media and broadcast organisations have a very important role to play in helping to prevent suicide and self-harm, and in the promotion of positive mental health and wellbeing. I am pleased that the four main newspapers in Northern Ireland have recently undertaken a campaign on suicide prevention.

I recently met with a number of local newspaper editors in order to further emphasise the need for responsible reporting of these issues. In addition all-island media guidelines, which were developed in co-operation with the Samaritans and the Irish Association of Suicidology, to advise on the portrayal of suicide, were re-issued to all local media organisations earlier this year.

I also met with key internet industry stakeholders, including Bebo, Google and Vodafone/ My Space, to highlight my concerns about the impact the internet can have on vulnerable people, especially at times of crisis. I challenged them to outline what further actions they could take to promote positive mental health and to prevent their sites being used to promote suicide.

Initial responses have been positive, particularly as they have highlighted their intention to further promote positive mental health via their websites, and to encourage people to seek help and support at times of crisis. I will keep the focus on this issue and I intend to meet with these stakeholders again in the near future.

The issue of suicide requires sensitive handling in the media, as it is possible to make things worse through excessive or inappropriate reporting. Responsible reporting can have a positive impact, for example, a campaign to decrease media coverage of subway suicides in Vienna in the late 1980s cut subway suicides by 80%.

We are all obliged to act sensibly and maturely on this issue, as lives are at stake through contagion, especially among our young people. I will of course continue to monitor this important issue.

Suicide

Mr B Wilson asked the Minister of Health, Social Services and Public Safety if he will explain the reasons why current statistics for suicides and attempted suicides are incomplete, in light of the fact that they do not provide for an exhaustive analysis of the extent to which alcohol and/or drugs play a significant role in suicides and attempted suicides involving young people in Northern Ireland, including cases where drugs and alcohol are not the immediate cause of death.

(AQW 1004/08)

Mr McGimpsey: Official statistics on suicide are derived from the statutory register of deaths. Deaths

from non-natural causes are referred to the Coroner who can decide to have an inquest or a post-mortem. The Coroner then reports his findings on the cause of death which is subsequently recorded on the death certificate. This cause of death is used to compile detailed mortality statistics; in some cases alcohol / drugs is recorded on the death certificate (e.g. intentional self-poisoning). For all death certificates to include information on the role alcohol / drugs played in the cause of death, a change in death registration legislation would be required.

The Hospital Inpatient System, records all admissions to HSC hospitals in Northern Ireland. Reasons for the patients' admission to hospital are recorded in seven diagnosis field, and from this diagnosis coding, it is possible to provide the number of admissions to acute hospitals which occur as a result of attempted suicide. In 2005/06 there were 4,498 admissions to hospital where the patient was diagnosed as having attempted suicide. Further diagnosis coding indicates that 4,286 of these admissions (95%) were also diagnosed with alcohol or drug related conditions. However, secondary coding may not be completed in all cases.

Central access to Accident and Emergency datasets is currently being developed. This database will include details of patients' diagnoses. In the future it should be possible to identify attendances at Accident and Emergency as a result of attempted suicide provided that patients' records are coded appropriately.

In summary, these are the reasons why statistics for suicides and attempted suicides are not exhaustive. No further Review is planned.

Suicide

Mr B Wilson asked the Minister of Health, Social Services and Public Safety if he will undertake a review of the statistics and information collected by his department, in order to establish the extent of the role that drugs and alcohol play in all reported suicides and attempted suicides in Northern Ireland.

(AQW 1005/08)

Mr McGimpsey: Official statistics on suicide are derived from the statutory register of deaths. Deaths from non-natural causes are referred to the Coroner who can decide to have an inquest or a post-mortem. The Coroner then reports his findings on the cause of death which is subsequently recorded on the death certificate. This cause of death is used to compile detailed mortality statistics; in some cases alcohol / drugs is recorded on the death certificate (e.g. intentional self-poisoning). For all death certificates to include information on the role alcohol / drugs played in the cause of death, a change in death registration legislation would be required.

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In summary, these are the reasons why statistics for suicides and attempted suicides are not exhaustive. No further Review is planned.

Health and Social Services Authority

Mrs I Robinson asked the Minister of Health, Social Services and Public Safety to detail the indicative costs of delaying the new health and social services authority until April 2009.

(AQW 1041/08)

Mr McGimpsey: My decision to reconsider the Health and Social Care structural changes does not mean any additional cost, but will simply mean that some of the planned savings from reorganisation will now arise later than would otherwise have been the case.

It had been assumed that the rationalisation of Health and Social Care Boards and Agencies would lead to planned savings of approximately £1m by April 2009 (this is a relatively small proportion of the total of some £50 million, because much greater savings will arise from the Trust restructuring, and, subject to the conclusions following consultation, from the introduction of shared services).

Whilst an element of this £1 million of savings will not now be made as planned, other RPA savings have offset this loss, mainly because there is a larger than anticipated number of vacant posts within the Health and Social Care Boards as a result of the operation of vacancy controls.

Binge Drinking

Mr O'Loan asked the Minister of Health, Social Services and Public Safety to detail his department's expenditure on advertising the risks of binge drinking

through public campaigns, in numerical and percentage terms, with reference to his Department's overall budget. (AQW 1102/08)

Mr McGimpsey: My Department's budget for 2007-08 is £4.1 billion, of which approx £270k has been set aside to cover spend in relation to binge drinking campaigns. This represents 0.0067 percent of the overall DHSSPS budget.

Cardiac Screening for Young People

Mr Doherty asked the Minister of Health, Social Services and Public Safety what steps he is taking to make cardiac screening for young people a statutory provision within the health service; and to make it available on a universal basis. (AQW 1107/08)

Mr McGimpsey: The recent tragic deaths of young boys enjoying sport have brought home to us again the shock and devastation felt by their families, friends and communities. The most fitting response is that we put in place the most effective measures possible to minimise this terrible risk.

Our response has to be based on sound evidence. This is a complex area: more than twenty different conditions have been identified as causes of sudden cardiac death in young people, and there is no single screening test that would diagnose all these causes. It is also important to consider whether screening is always the right course of action.

A workshop, led by the Chief Medical Officer in the Department of Health, Social Services and Public Safety, is being organised to look at sudden cardiac death in the young. This workshop will call on an expert body of opinion to give this matter the attention it needs, and explore what further steps can be taken to protect those who are most at risk. This will include leading health experts in cardiology, clinical psychology, genetics, and research academics within this field, along with people from the relevant Government Departments, public health bodies, the Sports Council, and voluntary organisations.

The UK National Screening Committee (NSC) is scheduled to review its policy advice on screening for hypertrophic cardiomyopathy in 2007/08. The Chief Medical Officer for Northern Ireland has written to the Chair of the NSC asking them to prioritise this review.

Sudden cardiac death in young will be covered in the Service Framework for Cardiovascular Health and Wellbeing which is due to be published for consultation in April 2008.

Regarding early health checks, all newborn babies have their hearts examined for defects.

All the facts need to be considered by the specialist group before any recommendations can be agreed and taken forward. This work is being taken forward as quickly as possible. At this stage it would not be right for me either to pre-empt the outcome of this work or to commit to a timescale.

Cardiac Screening

Mr Doherty asked the Minister of Health, Social Services and Public Safety what steps he is taking to ensure that there are no barriers to children under the age of 14 accessing cardiac screening; and what consideration he is giving to integrating the option of cardiac screening into the system of early health checks and immunisations for children. (AQW 1108/08)

Mr McGimpsey: The recent tragic deaths of young boys enjoying sport have brought home to us again the shock and devastation felt by their families, friends and communities. The most fitting response is that we put in place the most effective measures possible to minimise this terrible risk.

Our response has to be based on sound evidence. This is a complex area: more than twenty different conditions have been identified as causes of sudden cardiac death in young people, and there is no single screening test that would diagnose all these causes. It is also important to consider whether screening is always the right course of action.

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taken forward. This work is being taken forward as quickly as possible. At this stage it would not be right for me either to pre-empt the outcome of this work or to commit to a timescale.

Cardiac Risk in Young People

Mr Doherty asked the Minister of Health, Social Services and Public Safety to outline what additional resources he is making available to deal with cardiac-related deaths and cardiac risk in the young; specifically in terms of increasing (i) the number of specialist cardiologists who can interpret tests; (ii) the availability of defibrillators and people trained in their use; and (iii) the level of bereavement counselling services available to families affected by sudden death, due to undetected heart conditions. (AQW 1109/08)

Mr McGimpsey:

- (i) Since 2002, there has been a 66% increase in the number of doctors pursuing specialist training in cardiology to meet the needs of the service.
- (ii) There is no central register of how many defibrillators are available in Northern Ireland. The Department is currently working with the Department of Epidemiology and Public Health at QUB, and with the Health and Social Care (HSC) Boards and the Northern Ireland Ambulance Service (NIAS), to develop a Strategy for First Responders and Public Access Defibrillation. Part of this work will entail an exercise to identify the extent to which automated external defibrillators are available in Northern Ireland.
- (iii) Trained staff within the Health and Social Care sector in Northern Ireland offer a wide range of support to the bereaved. This is in addition to the services available from voluntary, community and church organisations. The establishment, in March 2006, within the HSC of a Northern Ireland Bereavement Network comprising five area co-ordinators based in local trusts also makes a significant contribution to developing support for those families who experience a sudden death.

Heart Screening Report

Mr Doherty asked the Minister of Health, Social Services and Public Safety if he will indicate when the specialists group, established to investigate heart screening for young people, will report on its findings and recommendations. (AQW 1110/08)

Mr McGimpsey: The recent tragic deaths of young boys enjoying sport have brought home to us again the shock and devastation felt by their families, friends and communities. The most fitting response is that we

put in place the most effective measures possible to minimise this terrible risk.

Our response has to be based on sound evidence. This is a complex area: more than twenty different conditions have been identified as causes of sudden cardiac death in young people, and there is no single screening test that would diagnose all these causes. It is also important to consider whether screening is always the right course of action.

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Budget Underspend

Mr Savage asked the Minister of Health, Social Services and Public Safety to detail his Department's projected underspend for this financial year. (AQW 1112/08)

Mr McGimpsey: My Department is projecting a minimal underspend for this financial year and every effort is being made to ensure all resources will be substantially spent. However, given the need to avoid an excess vote and the inclusion of certain demand led budgets such as pharmaceutical expenditure, a small underspend is inevitable, as is always the case for all Departments, though under the end-year flexibility arrangements, no resources are lost to Northern Ireland.

Mobile Phone Use

Mr W Clarke asked the Minister of Health, Social Services and Public Safety what discussions he has had with the mobile phone industry, in relation to developing increased protection from radiation, following prolonged mobile phone use. (AQW 1173/08)

Mr McGimpsey: My Department has had no discussions with the mobile phone industry on such matters. Mobile phones comply with the international guidelines set out in the European Council Recommendation EC/519/1999 on limiting public exposure to electromagnetic fields.

Dental Guidelines

Mr McCartney asked the Minister of Health, Social Services and Public Safety what steps his department is taking to produce guidelines for dentists, in relation to giving fillings to patients who are pregnant. (AQW 1176/08)

Mr McGimpsey: There are no plans for my Department to produce guidelines for dentists in relation to providing fillings for patients who are pregnant.

MLA Meetings

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to detail the number of meeting requests received from MLAs; the number of these that were declined; the number that were accepted; and the party affiliation of those MLAs whose meeting requests were declined. (AQW 1221/08)

Mr McGimpsey: I can advise that from taking up office on 8 May 2007 34 requests for meetings from MLAs were received.

17 of those were accepted and 14 were declined. Another 3 have yet to receive responses as these requests were only recently received.

Of the 14 that were declined

- 6 were DUP
- 4 were UUP
- 3 were Sinn Féin
- 1 was SDLP

REGIONAL DEVELOPMENT

Road Upgrade

Mr McHugh asked the Minister for Regional Development to outline the funding allocated to

upgrading the B36 road from Lisnaskea/Roslea to Monaghan; and to detail whether or not any major surface upgrade is due in the near future. (AQW 1073/08)

The Minister for Regional Development (Mr Murphy): My Department's Roads Service has invested £299,000 on the structural maintenance of the B36 Dernawilt Road, which runs between Lisnaskea and the border with County Monaghan, over the past five financial years. In this time, 13.7 kilometers (75% of the length) of the B36 have undergone surface dressing or resurfacing work.

Two further sections of the road have been identified for resurfacing and are included in the programme for 2007/08, as well as a section in Roslea itself. Unfortunately resources are not sufficient to deliver the full programme at present, however both schemes are high on the reserve programme and will be implemented as soon as resources do become available, hopefully within this financial year.

Route Corridor Study

Mr Doherty asked the Minister for Regional Development if he will outline the planned timeframe for the completion of the A5 dual carriageway 'Route Corridor Study'; and for the completion of the subsequent public consultation into the alternative route options. (AQW 1082/08)

Mr Murphy: I am advised that an early appointment of consultants will allow the production of a preliminary options report including recommendations for a preferred corridor for the dualling of the A5 by late 2008. Subsequent work, including significant public consultation, should enable the identification of a preferred route within that corridor by mid 2009.

Disability Badges

Mr O'Dowd asked the Minister for Regional Development what plans he has to introduce new blue disability badges, with the expiry date displayed on both sides, in order to prevent parking fines being imposed on disabled people because the date on their badge is not visible. (AQW 1094/08)

Mr Murphy: I can advise that my Department is preparing to issue a consultation document in respect of a number of changes to the Blue Badge scheme. The proposed changes include the alteration of the design of the badge, and the inclusion of clearer instructions about which side of the badge must be displayed. The consultation paper should be issued to interested parties in the very near future. Any suggestions relating to the badge design will be considered as part of the overall consultation process.

Residents' Parking Schemes

Mr O'Loan asked the Minister for Regional Development what plans he has to introduce the necessary legislation to allow residents' parking schemes. (AQW 1103/08)

Mr Murphy: I am advised that my Department's Roads Service took powers in the Road Traffic Regulation (NI) Order 1997 to permit the introduction of residents' parking schemes. Under the Order, schemes can be implemented using individual Residents' Parking Orders.

Roads Service intends to start work on the development of schemes as soon as the policy has been finalised. However, I am advised that it may be six to twelve months before the first schemes will be on the ground due to the local consultation and legislative processes that have to be followed.

Pedestrian Crossings

Mr D Bradley asked the Minister for Regional Development to outline his Department's criteria for providing a pedestrian crossing at, or near to, the entrance to a primary school. (AQW 1104/08)

Mr Murphy: Controlled crossings are provided to facilitate access and easier movement for pedestrians and cyclists. They also have an important role in contributing to pedestrian safety and convenience.

My Department's criteria for the provision of pedestrian crossings are outlined in Roads Service Policy and Procedure Guide: RSPPG - E005 Controlled Crossings: Assessment Procedures. This policy also covers the provision of a pedestrian crossing at, or near to, the entrance to a school and a copy is enclosed for your information.

In summary, a five step procedure is applied when assessing the need for the provision of a pedestrian crossing and, where required, to determine the type of crossing appropriate to the circumstances of the site. The five steps are:

- an initial site survey and preliminary assessment;
- a full site survey;
- an assessment of need;
- priority ranking; and
- selection of type of facility.

The preliminary assessment uses the number of pedestrians and cyclists to measure the demand to cross the particular road and the degree of difficulty in doing so. Sites with a low demand and low difficulty are screened out of the process at this stage, while a more detailed assessment is carried out at sites above the initial threshold.

At these sites the location is subject to a site assessment and a needs assessment, taking into consideration a range of factors (eg demand/difficulty score, pedestrian collision history, number of vulnerable road users, speed of traffic, width of the road and proximity to public amenities, such as hospital, schools, libraries, health centres, post office, bus/rail station, etc). A scorecard is completed as part of the assessment and an overall score for the site is calculated. Sites are ranked in merit order, with those achieving the highest scores receiving priority attention within the normal budgetary constraints.

Free Public Transport

Mr McNarry asked the Minister for Regional Development, further to the Assembly's resolution of 17 September 2007, regarding the introduction of free public transport for women and men at the age of 60, to detail what consideration he has given to this, in terms of his department's budget bids; and what priority he will assign to this issue. (AQW 1121/08)

Mr Murphy: As part of the Draft Budget, provisions have been made to extend free public transport services to men and women living here aged 60 to 64. Subject to confirmation of resources and upon satisfactory completion of the necessary Equality Impact Assessment and public consultation processes, I hope that my Department will be able to introduce this concession in late 2008.

Ballymoney Railway Station

Mr Storey asked the Minister for Regional Development to give a timescale within which work will commence at Ballymoney Railway Station, in order to ensure that the station is compliant with the Disability Discrimination Act 1995. (AQW 1129/08)

Mr Murphy: The programme of works to upgrade public transport facilities in compliance with the Disability Discrimination Act 1995 is being undertaken in two phases. Phase I is nearing completion and Phase II, which is presently at tendering stage, will commence towards the end of 2007 and will be completed in 2008. I can confirm that Ballymoney is to be included within the scope of the Phase II works; however, Translink cannot provide a definite timescale for the commencement of the work at Ballymoney station as this will be negotiated between them and the successful contractor.

Belfast to Derry/Londonderry Rail Line

Mr Storey asked the Minister for Regional Development to detail (i) the number of breakdowns

on the Belfast to Derry/Londonderry rail line in the last three years; and (ii) the resulting time delay associated with each breakdown. (AQW 1131/08)

Mr Murphy: The total number of breakdowns and resultant delays are detailed in the tables below. The figures for 2007/08 refer to the six months period up to the end of September 2007.

	2005/07	2006/07	2007/08 (Six Months)	Total
Number of Services	6,502	6,513	3,536	16,551
Number of Breakdowns	44	16	8	68

Over the two and a half years there have been a total of 68 breakdowns on the Belfast to Derry line. As a consequence the following delays have been experienced.

Delays / Cancellations	2005/07	2006/07	2007/08 (Six Months)
30-60 mins delay	32	9	5
60+ mins delay	6	3	1
Cancellation	6	4	2
Total	44	16	8

Traffic Congestion

Mr Hamilton asked the Minister for Regional Development what plans he has to tackle growing traffic congestion in Saintfield. (AQW 1132/08)

Mr Murphy: It is the case that congestion is a growing problem in all of our villages, towns and cities as a direct result of increased car ownership and a range of measures and initiatives have been undertaken by my Department's Roads Service to address this problem.

The measures centre on sustainable transport initiatives, and aim to encourage commuters and school children in particular, to get to their destination by means other than private car.

While Saintfield would not be considered to have severe congestion issues, local Roads Service officials would be happy to meet with you to discuss any specific areas in Saintfield which you believe to be problematic.

Interdepartmental Steering Group

Mr Storey asked the Minister for Regional Development if he will make a statement on the Interdepartmental Steering Group; its evaluation of

investment in rolling stock and the rail network; and the options for future investment, in accordance with the Regional Transportation Strategy and the Railways Review Group reports. (AQW 1133/08)

Mr Murphy: Following on from the Regional Transportation Strategy and the Railways Review Group report, and in advance of the 2007 Comprehensive Spending Review, the Interdepartmental Steering Group was established to take forward the evaluation of recent expenditure on the railway network and to review options for future investment. The group comprised representatives from the Department for Regional Development, the Department of Finance and Personnel, the Strategic Investment Board, the Northern Ireland Transport Holding Company, Translink and the Department of Transport in Dublin.

The group considered a Business Development Analysis which looked at the recent performance of railway services here in terms of passenger numbers and estimated passenger demand levels for the future. This analysis fed into an Economic Appraisal of various options for future investment on the railways network. The group considered the Economic Appraisal and reported to me. On the basis of the Group's report I submitted a bid to the Comprehensive Spending Review and to the Investment Strategy. This sought funding for the upgrading of rail infrastructure and for the purchase of new trains in order to enhance all rail services in the North together with the Belfast to Dublin service.

The outcome of that bid was announced in the draft Budget on 25 October 2007.

Speed Limits

Mr Hamilton asked the Minister for Regional Development what consideration he will give to designating the Darragh Road area of Comber, and the streets immediately surrounding it, as a 20 mph zone. (AQW 1134/08)

Mr Murphy: I am advised that current guidance permits the introduction of 20mph zones in residential areas only in cases where such limits are clearly self enforcing and where there is agreement with the PSNI.

The streets surrounding the Darragh Road in Comber are such that my Department's Roads Service considers it unnecessary to introduce 20 mph zones.

Traffic calming work was undertaken on the main Darragh Road Housing Distributor in 2002 and has proven effective, with traffic speeds in the streets immediately surrounding the area considered to be below the current 30mph limit. With the success of the traffic calming measures in place, Roads Service officials believe there would be little to be gained by the introduction of a 20mph zone in this location at this time.

Septic Tanks

Mr Hamilton asked the Minister for Regional Development to detail what progress is being made by Northern Ireland Water towards meeting its commitment to customers to clear the backlog in the emptying of septic tanks by the end of November 2007.

(AQW 1135/08)

Mr Murphy: I have been advised by Northern Ireland Water that since April 2007 around 19,000 requests have been received for septic tanks to be emptied and almost 16,000 have been emptied to date. The backlog currently stands at 2,850 and Northern Ireland Water remains on target to restore normal service for septic tank emptying by the end of November 2007.

Traffic Congestion

Mr Hamilton asked the Minister for Regional Development to provide an estimate of the daily volume of traffic along Main Street, Saintfield.

(AQW 1136/08)

Mr Murphy: Officials in my Department's Roads Service have advised me that the last recorded traffic survey for Main Street, Saintfield, was in 2005. At that time, the estimated daily volume of traffic using Main Street was approximately 11,500 vehicles. This estimate was based on two-way traffic flow.

Park and Ride Schemes

Mr K Robinson asked the Minister for Regional Development what steps he is taking to ensure that surplus land held by Government Departments, that could potentially accommodate Park and Ride schemes along the railway line between Belfast and Larne, can be transferred to his department to strengthen the Sustainable Transport Strategy, rather than being sold off to private developers.

(AQW 1158/08)

Mr Murphy: Details of publicly owned surplus land, which are being considered for sale, are circulated to Government Departments by the Department of Finance and Personnel's Land and Property Services. The Northern Ireland Transport Holding Company, which is responsible for acquiring land needed by Translink for construction purposes, is included on this circulation list.

Derry/Londonderry to Belfast Railway Line

Mr McKay asked the Minister for Regional Development to detail the number of people who used the Derry/Londonderry to Belfast railway line in (i)

each of the last 12 months; (ii) 2006; (iii) 2005; (iv) 2004; (v) 2003.

(AQW 1159/08)

Mr Murphy: The table below details the patronage on the line over the last twelve periods of operation. A period is broadly equivalent to calendar months and corresponds with the financial year (i.e. Period 1 = April, Period 12 = March etc). Most periods have four weeks although Periods 3, 6, 9 and 12 all have five weeks.

2006/07	Derry Line Patronage
Period 7 = October	88,292
Period 8 = November	87,213
Period 9 = December	95,484
Period 10 = January	61,502
Period 11 = February	77,601
Period 12 = March	97,639

2007/08	Derry Line Patronage
Period 1 = April	85,076
Period 2 = May	92,484
Period 3 = June	96,323
Period 4 = July	80,174
Period 5 = August	97,971
Period 6 = September	112,147

Year	Derry Line Patronage
2003/04	652,262*
2004/05	850,056
2005/06	874,954
2006/07	1,020,685

* The 2003/04 figure is an estimate as a new method of counting passengers was implemented from 2004/05 and there were some problems with the outgoing ticketing system.

Rural Public Transport

Mr McCartney asked the Minister for Regional Development what steps he has taken to expand existing rural public transport services.

(AQW 1180/08)

Mr Murphy: Under the Rural Transport Fund my Department currently provides support to 19 Rural Community Transport Partnerships to offer a range of specialised transport services to their members. These services complement the existing conventional public transport network and provide transport opportunities for people with reduced mobility living in rural areas throughout the North.

Following a recent review of the Fund, we have begun to re-focus the efforts of the partnerships to ensure that these important transport services are made available to a greater number of rural dwellers.

My Department also supports Translink to maintain a network of rural routes across the North that would otherwise be uneconomic to run. The future development of these services is being considered as part of the Ulsterbus strategic review.

Carbon Emissions

Mr P Ramsey asked the Minister for Regional Development what action his department is taking to reduce carbon emissions in the transport sector.

(AQW 1194/08)

Mr Murphy: My Department's Regional Transportation Strategy seeks to reduce people's reliance on the private car and improve the use of public transport, cycling and walking, thereby reducing carbon emissions from transport. The Sustainable Development Strategy identified the need to take steps and identify targets to reduce greenhouse gas emissions from transport. This will be considered as part of the mid-term Review of the Regional Transportation Strategy that is currently being undertaken.

The Travelwise initiative introduced in 2003 also promotes sustainable transport and encourages car sharing and personal travel planning. The scheme currently has over 2200 members and is reducing carbon emissions which equate to savings in the region of 1190 tonnes of CO₂ annually.

Translink has also pursued energy management and efficiency programmes to help reduce emissions. Ulsterbus and Metro have now completed successful trials and plan to convert all bus operations to use bio diesel, a blend of 5% bio fuel and 95% diesel. This will further reduce CO₂ emissions by typically 4% to 5%.

CO₂ Reduction

Mr P Ramsey asked the Minister for Regional Development if he will provide an evaluation of the CO₂ reduction schemes currently being operated by his Department, including CO₂ saved and the cost per tonne saved; and if he will make a statement on any major transport-related CO₂ reduction schemes currently being planned by his department.

(AQW 1195/08)

Mr Murphy: My Department's Roads Service is currently leading and promoting the Travelwise NI Car Share Scheme. The initiative launched in October 2003 promotes sustainable transport namely walking, cycling and greater use of public transport. It also includes measures such as car sharing and

personalised travel planning to encourage a change in attitude away from the private car as the main means of transport. The Scheme currently has over 2200 members and is reducing carbon emissions, which equate to savings in the region of 1190 tonnes of CO₂ annually.

Other major transport related schemes planned or already underway include the development of Workplace Travel Plans in all sectors and Personalised Travel Planning projects. Along with sustainable transport promotional events such as Bike Week and Walk/Cycle to School Week, my Department is engaged in raising public awareness on both the impact of unrestrained car use and the environmental savings including CO₂ emissions which sustainable travel can deliver.

The Sustainable Development Strategy identified the need to take steps and identify targets to reduce greenhouse gas emissions from transport. Targets will be considered as part of the mid term Review of the Regional Transportation Strategy.

Derry/Londonderry and Donegal Rail Link

Mr P Ramsey asked the Minister for Regional Development what plans he has to commission a feasibility study into a north-west cross border rail link between Derry/Londonderry and Donegal; and what discussions he has had with his counterpart in the Republic of Ireland on the possibility of commencing such a study.

(AQW 1246/08)

Mr Murphy: I have no plans at present to commission a feasibility study into a rail link between Derry and Donegal. I am aware that the Transport 21 initiative aims to re-open the railway corridor between Limerick and Sligo but I am not aware that it includes plans for a railway line from Sligo through Donegal towards Derry. I have not had any discussions with my counterpart on the possibility of commencing a study, but am open to doing so if the matter arises at a future date.

SOCIAL DEVELOPMENT

Neighbourhood Renewal Partnerships

Mr Bresland asked the Minister for Social Development to detail the amount of funding allocated to each of the Neighbourhood Renewal Partnerships for 2006 and 2007, in (i) Strabane District Council area; (ii) Derry/Londonderry City Council area; and (iii) Limavady Borough Council area.

(AQW 991/08)

The Minister for Social Development (Ms Ritchie): Neighbourhood Renewal Partnerships are a vehicle for

planning and implementing Neighbourhood Action Plans which detail priorities and expected outcomes for their respective areas. The Department is continuing to fund projects and services which are relevant to the priorities identified and which may play a part in the future delivery of the Neighbourhood Action Plans. The Department has not allocated any funding directly to the Neighbourhood Renewal Partnerships within Strabane, Derry/Londonderry or Limavady Council areas.

However, total Departmental funding provided to each of the Neighbourhood Renewal Areas in the Strabane District Council area, Derry/Londonderry City Council area and Limavady Borough Council area for the financial years 2006/07 and 2007/08 is as follows:

2006/07	
Strabane	£1,943,072
Derry/Londonderry	£8,903,789
Limavady	£ 311,336
2007/08 to date	
Strabane	£3,386,681
Derry/Londonderry	£6,426,188
Limavady	£ 104,009

These figures include funding from programmes delivered by the North West Development Office, Voluntary and Community Unit and Northern Ireland Housing Executive.

Energy Consumption

Mr B Wilson asked the Minister for Social Development, in light of the various commitments to reduce energy consumption and emissions in Northern Ireland, to outline any major initiatives planned to improve the performance of, and reduce, emissions from the household sectors; and to detail any associated targets.

(AQW 1059/08)

Ms Ritchie: The main contribution that the Department makes to carbon reduction is in fuel switching and improved insulation, both of which are covered by the Department's Warm Homes Scheme and the Northern Ireland Housing Executive's Heating/Insulation programme.

All the works carried out through the various schemes between 1996 and 2004 on energy efficiency improvement have resulted in recurrent annual savings of 2.26 million tonnes of CO₂. This figure will be updated later this year when the 2006 House Condition Survey figures are published.

The Housing Executive is the Home Energy Conservation Authority for Northern Ireland and funds

advice, research and marketing campaigns aimed at improving domestic energy efficiency.

MLA Meetings

Ms S Ramsey asked the Minister for Social Development to detail the number of meeting requests received from MLAs; the number of these that were declined; the number that were accepted; and the party affiliation of those MLAs whose meeting requests were declined.

(AQW 1066/08)

Ms Ritchie: I have received 46 meeting requests from MLAs. Of these, 29 were accepted, 13 were declined and 4 are pending decisions. A breakdown of meetings requested by party affiliation of MLAs is provided in the following table;

Party	Requests accepted	Requests Declined	Pending	Total Requests Received
Sinn Fein	3	2	0	5
DUP	10	3	1	14
UUP	8	6	1	15
SDLP	8	1	1	10
PUP	0	1	1	2
Total	29	13	4	46

Bonfires

Mr O'Loan asked the Minister for Social Development to detail the costs to the Northern Ireland Housing Executive of managing and clearing up bonfires on the Doury Road estate, Ballymena, in each of the last five years.

(AQW 1079/08)

Ms Ritchie: The information is only available for the past three financial years. From 2005/06 – 2007/08 the Northern Ireland Housing Executive spent the following amounts clearing bonfire sites in the Doury Road estate, Ballymena.

2005/2006	£250
2006/2007	£250
2007/2008	£500

Clearances of identified bonfire sites are dealt with as part of the Housing Executive's Grounds' Maintenance contract. All burnt litter and debris are considered to be part of the normal litter lifting operation through its response maintenance programme. Within 7 days of a bonfire being burnt, all debris (including ashes and material not burnt, or

scattered) are removed. Grass areas damaged are made good.

Housing Executive Waiting List

Ms Ní Chuilín asked the Minister for Social Development to detail the number of people (i) currently on the Northern Ireland Housing Executive waiting list; (ii) who are classified as being in priority need; and (iii) who are deemed to be homeless, in North Belfast. (AQW 1086/08)

Ms Ritchie: At 31st March 2007 the total waiting list figure for North Belfast was 2354. Of these, 1359 had more than 30 points and are therefore deemed to be in housing stress and of this total 715 had Full Duty Applicant status.

Vacant Houses

Ms Ní Chuilín asked the Minister for Social Development if she will provide an inventory of vacant houses; and to detail the number of (i) social housing units; and (ii) private houses, in North Belfast. (AQW 1087/08)

Ms Ritchie: The information is not available in the format requested. The total number of Housing Executive vacant homes at 1st October 2007 was 461, broken down as follows:

- Awaiting imminent relet – 35
- Difficult to let – 147
- Undergoing major improvements/decanting – 112
- Pending sale or demolition – 167

Information compiled from Rates Collection Agency records shows 1677 vacant private residential properties in North Belfast at September 2006.

Vacant Properties

Ms Ní Chuilín asked the Minister for Social Development what action she intends to take to bring Northern Ireland Housing Executive properties that are vacant or abandoned back into use, as a means of addressing the housing shortage in North Belfast. (AQW 1088/08)

Ms Ritchie: In North Belfast the majority of long term vacant properties are concentrated at sectarian interfaces and are included in local estate strategies. There are also long term voids in non traditional house types (maisonettes) and in aged and obsolete stock.

In most instances local strategies have already been implemented to address the range of problems occurring in difficult to let areas. Estate strategies involving

improvement, sale and/or selective demolition have been put in place for numerous estates. The Housing Executive is working closely with the local communities, for example in Lower Oldpark and Tiger's Bay, to develop appropriate regeneration strategies to revitalise these neighbourhoods. In 2005 13 long term vacant dwellings in the private sector were vested and transferred to Clanmil Housing Association. Marketing, community safety and anti-blight measures are being carried out in social estates (including use of alarm systems, the appointment of neighbourhood wardens and other security measures). Improvement or demolition of unpopular, non-traditional housing is continuing. This includes decapitation (conversion of maisonette blocks to houses); privatisation and more intensive management.

In addition, in response to the Semple Report I have commissioned the Housing Executive to produce a costed empty homes strategy to bring such homes back into use.

Budget Underspend

Mr Savage asked the Minister for Social Development to detail her department's projected underspend for this financial year. (AQW 1111/08)

Ms Ritchie: It is not possible to provide an estimate of my Department's projected underspend at this stage of the year as its budget will be refined up until the February Monitoring Round in the light of emerging pressures and reduced requirements.

Child Support Agency

Mr Shannon asked the Minister for Social Development, pursuant to AQW 500/08, what steps she is taking to speed up the processing of maintenance application forms submitted to the Child Support Agency, taking into account that only 20-25% of applications are cleared each year. (AQW 1144/08)

Ms Ritchie: Improvements have been made to the Child Support Agency's computer system and working practices to speed up the processing of maintenance applications. Further improvements are also planned as part of the Agency's Operational Improvement Project.

At September 2007, 71% of applications which started in April 2007 have been cleared within 18 weeks. The number of applications outstanding has also reduced by 37% compared to the March 2007 figure.

Child Support Agency

Mr Shannon asked the Minister for Social Development if she will confirm that all Child Support Agency cases will be transferred to Great Britain; and to outline an estimated date of transfer. (AQW 1145/08)

Ms Ritchie: There are no plans to transfer all Child Support Agency cases to Great Britain.

Child Support Agency

Mr Shannon asked the Minister for Social Development what steps she is taking to retain Child Support Agency jobs in Northern Ireland. (AQW 1146/08)

Ms Ritchie: I have written to Lord McKenzie, Parliamentary Under-Secretary for the Department for Work and Pensions requesting a meeting to discuss future working arrangements between Great Britain and Northern Ireland.

Within my Department, a project is also being established to take forward the issues associated with the Redesign of Child Maintenance, including the future arrangements for the provision of services on behalf of the Great Britain Child Maintenance and Enforcement Commission.

Housing Allocation

Mr W Clarke asked the Minister for Social Development what action she will take to provide greater input for local residents' associations in South Down, in relation to the housing allocation process. (AQW 1172/08)

Ms Ritchie: All social housing is allocated on the basis of housing need. The points system, known as the Housing Selection Scheme, is managed by the Housing Executive to objectively and impartially assess housing need.

All social housing applicants for Housing Executive and Housing Association property are awarded a number of points which reflect their particular circumstances. For example, applicants receive points for overcrowding or living in property which is unfit or in disrepair.

When applicants receive their points they are registered on the Common Waiting List for their designated areas of choice. Applicants with higher points are housed before applicants with fewer points and all social housing allocations are made from this list.

The Housing Selection Scheme has been amended when required, to reflect changes in standards and society. The most recent revision was in 2000 and arose from concerns that the process did not take sufficient

account of the relative and varying needs of applicants seeking accommodation. The review resulted in the introduction of an entirely points based scheme which aims to ensure that those in greatest overall need are ranked highest on the list and are housed appropriately. These changes were introduced following consultation with public representatives and other key stakeholders.

The Housing Executive is currently undertaking a review of the Common Waiting List, including in particular, the level of the applicants on the list deemed to be in housing stress. I expect to be appraised of the outcome in the autumn.

Residents groups cannot exercise influence over any aspect of the allocation process, but would be key consultees in the event of any proposal to amend the scheme.

Housing Executive Properties

Mr W Clarke asked the Minister for Social Development to detail the number of properties owned by (i) the Northern Ireland Housing Executive; and (ii) housing associations, in the South Down area. (AQW 1174/08)

Ms Ritchie: At 31st March 2007 records showed that the Northern Ireland Housing Executive owned 4767 properties and Housing Associations owned 1253 properties in the South Down area.

Consultancy Expenditure

Mr Savage asked the Minister for Social Development to detail her department's expenditure on consultancy; and to provide a breakdown of this expenditure, for the last year. (AQW 1213/08)

Ms Ritchie: The actual expenditure on management consultancy incurred by the Department for Social Development for the financial year 2006/07 amounted to £260,652. A breakdown of the expenditure is as follows:

Categories of Consultancy	Expenditure 2006/07 £
1 Management - Policy Appraisal and Review	89,770
2 Management - Strategic Management	9,054
3 Management - Organisational Development	27,190
7 Financial - Economic Appraisal	9,625
13 Research - Projects	125,013
Total	260,652

Down's Syndrome

Mr Storey asked the Minister for Social Development to detail the number of children with Down's Syndrome (i) who are in receipt of disability living allowance; (ii) who receive only the mobility component of disability living allowance; and (iii) who receive only the care component of disability living allowance. (AQW 1233/08)

Ms Ritchie: My Department does not hold the information requested.

While there are disability codes attributed to all Disability Living Allowance awards, there is no specific disability code relating to Down's Syndrome. This disability is captured under the disability code relating to mental health cases which encompasses many other types of mental health disabilities.

Jobs & Benefits Office, Newtownards

Mr Hamilton asked the Minister for Social Development what steps she has taken to establish a combined Social Security Office and Job Centre in Newtownards. (AQW 1298/08)

Ms Ritchie: The Social Security Agency remains committed to the rollout of a Jobs & Benefits office in Newtownards to ensure that clients benefit from the same enhanced work-focused service which is available elsewhere in Northern Ireland. A procurement exercise has been ongoing to identify the site of the new office.

ASSEMBLY COMMISSION

Assembly Shop

Mr Cree asked the Assembly Commission what consideration it has given, in conjunction with Eurest, to the production of a market research questionnaire, in order to gain information from visitors to the Assembly shop, in relation to (i) Assembly shop profile; (ii) goods; (iii) opening times; and (iv) prices. (AQW 1119/08)

The Representative of the Assembly Commission (Rev Dr Robert Coulter): As the member may know the new support services contract, which includes the Assembly Gift Shop, has been operating since 5 March 2007. During this period the efforts of both Eurest and Facilities Branch has been very much focused on the major components of the contract which are catering and cleaning. Of necessity, this has meant that other parts of the contract, including the shop, have not received the priority that it would otherwise enjoy.

The current position on the specific matters which you have raised is;

Eurest has not introduced a questionnaire specific to visitors to ascertain the shop profile.

A questionnaire of the goods currently on offer has not been conducted. Goods offered to date have been subjected to approval by Facilities Branch and the Speaker's office.

The opening times Eurest operate are set by the Secretariat and are written into the support services contract. Eurest do also offer, on request, a mobile shop service to private tours and events outside of the normal opening hours.

No questionnaire has been carried out into the current selling prices within the shop. All prices within the shop are set in conjunction with Facilities Branch. Sales lines are subject to recommended retail prices that may vary in response to market trends.

You have highlighted a number of important points about the development of the Assembly shop which I will table at an early meeting of the Assembly Commission.

Assembly Shop

Mr Cree asked the Assembly Commission what plans it has to encourage Eurest to extend the gift selection in the Assembly shop, to include Northern Ireland Assembly (i) t-shirts; (ii) sweat shirts; (iii) baseball caps; and (iv) other promotional items, which are now common in other visitor attractions.

(AQW 1120/08)

Rev Dr Robert Coulter: Management are keen to encourage a greater use of the shop by internal and external customers and in extending the gift selection forms. Eurest are currently exploring new and innovative ideas to extend the current gift shop selection. Such new lines could include:

- A new range of Quality chocolate;
- Wine - N.I. Assembly crested wine;
- CD Picture Postcards - A full DVD/CD picture postcard which is very light weight and easy to carry;
- A new range of Business gifts, Folders, Pens, Credit Card Holders etc.;
- A N.I. Assembly Tie pin; and
- A N.I. Assembly Ladies Brooch.

Eurest will also as part of this process explore the feasibility of providing a range of NI Assembly clothing options for sale within the gift shop. Of course, any new lines will require a relevant business case for the Assembly Commissions consideration.

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